FEDERAL REGISTER

VOLUME 17 NUMBER 4

Washington, Saturday, January 5, 1952

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10318

ESTABLISHING THE MISSOURI BASIN SURVEY COMMISSION

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Establishment and composition of the Commission.* There is hereby established the Missouri Basin Survey Commission, hereinafter referred to as the Commission. The Commission shall be composed of eleven members who shall be appointed by the President. The President shall designate a chairman and a vice chairman of the Commission from among the members thereof.

SEC. 2. *Functions of the Commission.* The Commission shall study the land and water resources of the Missouri River Basin and such other related matters as the Commission may deem appropriate, and shall prepare recommendations with respect to an integrated and comprehensive program of development, use, and protection of the said resources. As used herein, the terms "Missouri River Basin" and "Basin" shall mean the entire Missouri River, its tributaries and watershed, as located in the States of Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Missouri, Colorado, Minnesota, and Iowa, together with such other portions of the said States, including bodies of water and watersheds in the said portions, as are closely related, with respect to the physical use of land and water, to the Missouri River, its tributaries, and watershed. With respect to the use of power produced or to be produced in whole or in part within the Basin or with water of the Basin, the studies and recommendations of the Commission may extend to areas outside the Basin.

In performing its above-described functions the Commission shall:

(a) Consider and evaluate existing and proposed plans and programs for the development, protection, and use of land and water resources.

NOTICE

The Federal Register Division will be open for the filing and public inspection of documents pursuant to section 2 of the Federal Register Act (49 Stat. 500; 44 U. S. C. 302) between the hours of 8:45 a. m. and 5:15 p. m. on Saturday, December 29, 1951, and Saturday, January 5, 1952. Issues of the FEDERAL REGISTER *will be published during the holiday period as follows:*

December 27 through December 29, 1951; January 1, January 3 through January 5, 1952.

(b) Conduct in the Basin such on-the-site surveys and appraisals of land and water resource programs, and provide for the holding of such public hearings as it deems necessary and practicable, with a view toward obtaining accurate and pertinent information and expressions of public sentiment of the inhabitants thereof.

(c) To the extent practicable, ascertain estimated costs and benefits of projects and programs.

(d) Consult with appropriate State authorities with respect to the development, protection, and use of land and water resources in their respective areas within the Basin, and consult with other bodies and groups as may be appropriate.

(e) Take into consideration the present and prospective economy of the Basin, the economic soundness of plans and programs for the development, protection, and use of the said resources, and the proper division of financial responsibility between the Federal Government and the States with respect to such plans and programs.

(f) In view of the recent disastrous flood in the Basin, give necessary emphasis to the prevention and control of floods.

(Continued on p. 136)

CONTENTS

THE PRESIDENT

Executive Order — Page

Missouri Basin Survey Commission, establishment 133

Trade Agreement Letter

Carrying out the Torquay Protocol to the General Agreement on Tariffs and Trade and for other purposes 136

EXECUTIVE AGENCIES

Agriculture Department

See Production and Marketing Administration.

Air Force Department

Arizona; reserving public lands for use of the Department in connection with an Air Force auxiliary base and field (2 documents) (*see* Land Management, Bureau of).

Alien Property, Office of

Notices:

Vesting orders, etc.:

Bauer, Charlotte, et al 183
Christiansen, Ernest 181
Fujima, Teije 182
Goetz, Margaret 183
May, Bertha (2 documents) 184
Menke, Else 182
Schulte, Helen 184
Seegar, Clara 182
Weinmann, Ferdinand 183

Army Department

Alaska; withdrawing public lands for use of the Department for military purposes and in connection with a radio receiving station (*see* Land Management, Bureau of).

Atomic Energy Commission

Colorado; withdrawing public lands and reserved minerals in patented lands for use of the Commission (*see* Interior Department; Land Management, Bureau of).

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

Civil Aeronautics Administration Page
Notices:
Radar procedures for control of IFR traffic departing from Washington control zone; employment on a trial basis ____ 166
Rules and regulations:
Aircraft radio equipment airworthiness; specifications and changes requiring approval by the Administrator ____ 146
Scheduled air carrier rules; airman utilization and instrument competency ____ 146

Civil Aeronautics Board
See also Civil Aeronautics Administration.
Notices:
Accident occurring at Elizabeth, N. J. ____ 169

Commerce Department Page
See Civil Aeronautics Administration; International Trade, Office of; National Production Authority.

Customs Bureau
Rules and regulations:
Extensions of time authorized for merchandise in general order and in bonded warehouse ____ 148

Defense Mobilization, Office of
Notices:
Determination and certification of a critical defense housing area:
Great Falls, Mont., area and Moultrie, Ga., area ____ 179
Knob Noster (Sedalia Air Force Base), Missouri, area ____ 180
Patuxent, Md., area ____ 179
Providing for additional membership on regional committees on defense mobilization ____ 179

Economic Stabilization Agency
See Price Stabilization, Office of; Rent Stabilization, Office of.

Federal Communications Commission
Notices:
Cuban broadcast stations; changes in assignments ____ 177
Desert Radio and Telecasting Co.; hearing ____ 177
Motions Commissioner for January 1952, designation ____ 177

Federal Power Commission
Notices:
Hearings, etc.:
Carolina Power and Light Co. and Tide Water Power Co. ____ 176
Pacific Power and Light Co. (2 documents) ____ 176

Federal Reserve System
Rules and regulations:
Credit, consumer:
Furnaces, floor or wall ____ 158
Miscellaneous amendments ____ 158
Credit, real estate; nonresidential leases ____ 158

Federal Security Agency
See Food and Drug Administration.

Food and Drug Administration
Rules and regulations:
Antibiotic and antibiotic-containing drugs, miscellaneous amendments:
Certification of batches ____ 150
Tests and methods of assay ____ 150

General Services Administration
Notices:
Secretary of the Treasury; revocation of delegation of authority with respect to buildings and space management functions by the Department of the Treasury ____ 177

Interior Department
See also Land Management, Bureau of; Reclamation Bureau.

CONTENTS—Continued

Interior Department—Con. Page
Notices:
Alaska; withdrawing public land for use of Department of the Army in connection with a radio receiving station ____ 169
Everglades National Park, Fla., acceptance by Secretary of exclusive jurisdiction over area ____ 169

International Trade, Office of
Notices:
A. Givatowsky et al.; revocation and denial of license privileges ____ 167

Interstate Commerce Commission
Notices:
Applications for relief:
Acid, muriatic, from Ladora, Ohio, to Kansas ____ 178
Cans, old iron, from Baton Rouge, La., to Alabama and Tennessee ____ 177
Coal, semi-distilled, from Champion, Pa., to Indiana, Illinois, Ohio and Wisconsin ____ 179
Meats, fresh, and packing house products from Indianapolis, Ind., to Alabama, Florida, Louisiana, Mississippi, and Tennessee ____ 177
Paper articles from Texas to Natchez, Miss. ____ 178
Phosphate rock from Florida to Knoxville, Tenn. ____ 178
Sodium - hyposulphite from Chicago, Ill., to Baton Rouge, La. ____ 178
Chicago, Burlington & Quincy Railroad Co. et al.; investigation of freight charges on carload shipments of grain ____ 179

Justice Department
See Alien Property, Office of.

Land Management, Bureau of
Rules and regulations:
Public land orders:
Alaska:
Reserving public lands for use of Alaska Railroad ____ 161
Withdrawing public lands for use of Department of the Army for military purposes and in connection with a radio receiving station (2 documents) ____ 159, 160
Arizona; reserving public lands for use of Department of the Air Force in connection with an Air Force auxiliary base and field (2 documents) ____ 159, 160
Colorado; withdrawing public lands and reserved minerals in patented lands for use of Atomic Energy Commission ____ 160
Idaho; partial revocation of executive order, reserving public lands for protection of water supply of Boise Barracks, Fort Boise ____ 159

CONTENTS—Continued

National Production Authority — Page
Rules and regulations:
Railroad transportation equipment (M-95) — 157

Price Stabilization, Office of
Notices:
Ceiling prices at retail:
Burlington Mills Corp — 173
Consolidated Trimming Corp. — 173
M. Seller Co — 174
Newland, Schneeloch & Pick, Inc — 173
Revere Copper and Brass Inc., Rome Mfg. Co. Division — 174
Directors of District Offices, redelegation of authority:
Region II:
Act under CPR 25, revised — 169
Process applications for adjustment filed by manufacturers having yearly sales volume of $250,000 or less — 169
Region III:
Act on applications:
Adjusted ceiling prices — 170
Exemption filed by non-profit clubs — 170
Pertaining to certain items of sausage — 170
Act on pricing and reports — 170
Act under CPR 74 — 170
Issue area milk price regulations and to perform other functions — 171
Region IV: issue area milk price regulations — 171
Region V; act on applications for adjusted ceiling prices — 171
Region VII:
Act on pricing and reports — 171
Issue area milk price regulations — 172
Make adjustments — 171
Reduce Appendix E markups — 172
Revise or request further information concerning applications filed — 172
Region XII:
Act on applications for adjustment of prices relating to ice — 172
Act under CPR 74 and to modify, revise or request further information concerning applications — 172
Make adjustments — 172
Process initial reports filed by certain restaurant operators — 172
Region XIII; act on application for exemption filed by non-profit clubs — 173
Illinois Watch Case Co.; ceiling prices at retail and wholesale — 175
Rules and regulations:
Area milk price adjustments; market milk sold in Vacaville-Dixon area, Solano County, Calif. (GCPR, SR 63, AMPR 8) — 156

Price Stabilization, Office of—Continued — Page
Rules and regulations—Continued
Machinery and related manufactured goods:
Machine tools; modifications of adjustments for increases in overtime labor hours, shift premium hours and subcontracting (CPR 30, SR 2) — 154
Use of previous ceiling prices after effective date of CPR 30 in certain cases (CPR 30) — 153
Manufacturers' general ceiling price regulation:
Sterile canned meat and dry sausage (CPR 22, SR 15) — 153
Use of previous ceiling price after effective date of CPR 22 in certain cases (CPR 22) — 152
Services; tobacco redrying and related services (CPR 34, SR 9) — 154

Production and Marketing Administration
Proposed rule making:
Milk handling in Muskegon-Grand Haven, Mich., marketing area — 161
Rules and regulations:
Limitation of shipments:
Lemons grown in California and Arizona (2 documents) — 143
Oranges grown in California or in Arizona — 144
Oranges, grapefruit, and tangerines grown in Florida (3 documents) — 142, 143
Sirup, refiners', U. S. Standards for grades — 136
Sugarcane, Puerto Rico:
1951-52 crop — 139
1952 calendar year — 138

Reclamation Bureau
Notices:
Assistant Commissioner; redelegation of authority with respect to prosecution of programs essential to national defense — 167
Gila Irrigation Project, Ariz., Yuma Mesa Division; annual water rental charges — 168

Rent Stabilization, Office of
Rules and regulations:
California and Florida:
Hotels — 159
Rooms in rooming houses and other establishments — 159

Securities and Exchange Commission
Notices:
Hearings, etc.:
Central Power and Light Co. — 180
General Public Utilities Corp. — 180
Insurance Investors Fund, Inc. and Insurance Investors Fund — 181

State Department — Page
Rules and regulations:
General administrative services — 151
Immigration control — 151
Personnel — 151
Protocol — 151
Transportation controls — 151

Treasury Department
See also Customs Bureau.
Revocation of delegation of authority from the Secretary with respect to buildings and space management functions by the Department (*see* General Services Administration):
Rules and regulations:
Values of foreign moneys; quarter beginning Jan. 1, 1952 — 152

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3 — Page
Chapter II (Executive orders):
1297 (revoked in part by PLO 777) — 159
8344 (see PLO 781) — 160
8979 (see PLO 778) — 159
10318 — 133
Chapter III (Presidential documents other than proclamations and Executive orders):
Letter, Jan. 3, 1952 — 136

Title 7
Chapter I:
Part 44 — 136
Chapter VIII:
Part 867 — 138
Part 877 — 139
Chapter IX:
Part 933 (3 documents) — 142, 143
Part 953 (2 documents) — 143
Part 966 — 144
Part 985 (proposed) — 161

Title 14
Chapter I:
Part 16 — 146
Part 61 — 146

Title 19
Chapter I:
Part 56 — 148

Title 21
Chapter I:
Part 141 — 150
Part 146 — 150

Title 22
Chapter I:
Part 102 — 151
Part 104 — 151
Part 105 — 151
Part 108 — 151
Part 113 — 151

Title 31
Chapter I:
Part 129 — 152

CODIFICATION GUIDE—Con.

Title 32A	Page
Chapter III (OPS):	
CPR 22	152
CPR 22, SR 15	153
CPR 30	153
CPR 30, SR 2	154
CPR 34, SR 9	154
GCPR, SR 63, AMPR 8	156
Chapter VI (NPA):	
M-95	157
Chapter XV (FRS):	
Reg. W	158
Reg. W, Int. 18 (see Int. 46).	
Reg. W, Int. 45-46	158
Reg. X	158
Chapter XXI (ORS):	
RR 2	159
RR 3	159
Title 43	
Chapter I:	
Appendix (Public land orders):	
487 (see PLO 778)	159
776	159
777	159
778	159
779	160
780	160
781	160
782	161

SEC. 3. *Executive Director.* There shall be an Executive Director of the Commission, who shall be appointed by the chairman of the Commission after consultation with the other members of the Commission and without regard to the civil service laws. Subject to the direction of the chairman of the Commission, the Executive Director shall direct the activities of all persons employed under the Commission, shall supervise the preparation of reports provided for under section 6 of this Executive order, and shall perform such other duties within the scope of responsibilities of the Commission as the chairman of the Commission shall designate. Within the limits of such funds as may be made available, other persons may be employed by or under the authority of the Commission, and such employment may be without regard to the civil service and classification laws.

SEC. 4. *Cooperation of Federal agencies.* All departments and other agencies of the Executive branch of the Government having functions related to the responsibilities of the Commmission are authorized and directed to cooperate with the Commission in its work and to furnish the Commission such information and assistance, not inconsistent with law, as it may require for the performance of its duties.

SEC. 5. *Financing of the Commission.* The expenditures of the Commission shall be paid out of an allotment made by the President from the appropriation entitled "Emergency Fund for the President—National Defense" (Title III of the Independent Offices Appropriation Act, 1952, Public Law 137, 82d Congress, approved August 31, 1951). Such payments shall be made without regard to the following: section 3681 of the Revised Statutes (31 U. S. C. 672); section 9 of the act of March 4, 1909, 35 Stat. 1027 (31 U. S. C. 673); and such other laws as the President may hereafter specify. The members of the Commission and the Executive Director of the Commission shall receive such compensation and expense allowances, payable out of the said allotment, as the President shall hereafter fix, except that no compensation shall be so fixed with respect to any person while receiving other compensation from the United States.

SEC. 6. *Report to the President.* The Commission shall report to the President, in writing and within one year from the date of this order, the results of its studies and its recommendations under section 2 hereof, including any recommendations with respect to necessary legislation. The Commission may also make to the President such earlier report or reports as it may deem appropriate.

HARRY S. TRUMAN

THE WHITE HOUSE,
January 3, 1952.

[F. R. Doc. 52-205; Filed, Jan. 4, 1952; 10:09 a. m.]

TRADE AGREEMENT LETTER

[CARRYING OUT THE TORQUAY PROTOCOL TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE AND FOR OTHER PURPOSES]

THE WHITE HOUSE,
Washington, January 3, 1952.

MY DEAR MR. SECRETARY:

Reference is made to my proclamation of June 2, 1951,[1] carrying out the Torquay Protocol to the General Agreement on Tariffs and Trade and for other purposes.

Denmark has signed the Torquay Protocol on December 21, 1951. I hereby notify you that the

(1) complete items in Part I of Schedule XX annexed to the Torquay Protocol (in cases in which only the item designation is specified), and

(2) portions of such items to which particular rates are applicable (in cases in which the item designation is specified together with only one or more rates of duty)

shall not be withheld pursuant to paragraph 4 of the Torquay Protocol on or after January 20, 1952:

Item designation:	*Rate of duty*
30	
360 [first]	20% ad val.
753 [sixth]	
763	1¼¢ per lb.
804 [second]	

Very sincerely yours,
HARRY S. TRUMAN

The Honorable JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 52-158; Filed, Jan. 3, 1952; 2:53 p. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

Subchapter A—Commodity Standards and Standard Container Regulations

PART 44—UNITED STATES STANDARDS FOR GRADES OF REFINERS' SIRUP

A notice of proposed rule making was published on June 15, 1951, in the FEDERAL REGISTER (16 F. R. 5703) regarding the issuance of proposed U. S. Standards for Grades of Refiners' Sirup. After considering all relevant matters presented, including the proposals set forth in the aforesaid notice, the following U. S. Standards for Grades of Refiners' Sirup are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

UNITED STATES STANDARDS FOR GRADES OF REFINERS' SIRUP[1]

GENERAL

Sec.
44.41 Definition.

GRADES

44.42 Grades of refiners' sirup.
44.43 Grade specifications.

DETERMINATION OF FACTORS

44.44 Quantitative determination of factors.
44.45 Preparation of basic solutions and RS color standards.[2]
44.46 Use of RS color standards in determining color factor.

AUTHORITY: §§ 44.41 to 44.46 issued under sec. 205, 60 Stat. 1090; 7 U. S. C. 1624.

GENERAL

§ 44.41 *Definition.* "Refiners' sirup" means a liquid product obtained from the refining of cane or beet sugar. The total soluble nonsugar solids content of refiners' sirup exceeds 6% of the total soluble solids. All of the sirup constituents have been subjected to the processes of clarification and decolorization, or equivalent purification, and it may be partially or wholly inverted.

[1] Compliance with the requirements of these standards will not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

[1] Proclamation 2929, 16 F. R. 5381.

[2] "RS" is an abbreviation for refiners' sirup.

GRADES

§ 44.42 *Grades for refiners' sirup.* The grades for refiners' sirup are designated as follows:

(a) "U. S. Fancy" or "U. S. Grade A" Refiners' Sirup.

(b) "U. S. Choice" or "U. S. Grade B" Refiners' Sirup.

(c) "U. S. Extra Standard" or "U. S. Grade C" Refiners' Sirup.

(d) "U. S. Standard" or "U. S. Grade D" Refiners' Sirup.

(e) "U. S. Substandard" or "U. S. Grade E" Refiners' Sirup.

§ 44.43 *Grade specifications.* Specifications for each grade of refiners' sirup are as follows:

(a) U. S. Fancy or U. S. Grade A Refiners' Sirup consists of refiners' sirup which possesses a flavor characteristic of refiners' sirup of fancy quality; which contains no sediment; which is free of foreign matter; which has a Brix solids content of not less than 72 percent when corrected to 20° C. (68° F.); which has a ratio of total sugars (sucrose plus reducing sugars) to Brix solids of not less than 92 percent; which has a ratio of sulfated ash to Brix solids of not more than 3.0 percent; and which possesses a color no darker than RS Color Standard No. 1.

(b) U. S. Choice or U. S. Grade B Refiner's Sirup consists of refiners' sirup which possesses a flavor characteristic of refiners' sirup of choice quality; which contains no sediment; which is free of foreign matter; which has a Brix solids content of not less than 72 percent when corrected to 20° C. (68° F.); which has a ratio of total sugars (sucrose plus reducing sugars) to Brix solids of not less than 86 percent; which has a ratio of sulfated ash to Brix solids of not more than 6 percent; and which possesses a color no darker than RS Color Standard No. 2.

(c) U. S. Extra Standard or U. S. Grade C Refiners' Sirup consists of refiners' sirup which possesses a flavor characteristic of refiners' sirup of standard quality; which contains no excess of sediment; which is practically free of foreign matter; which has a Brix solids content of not less than 76 percent when corrected to 20°C. (68° F.); which has a ratio of total sugars (sucrose plus reducing sugars) to Brix solids of not less than 78 percent; which has a ratio of sulfated ash to Brix solids of not more than 10 percent; and which possesses a color no darker than RS Color Standard No. 3.

(d) U. S. Standard or U. S. Grade D Refiners' Sirup consists of refiners' sirup which possesses a flavor characteristic of refiners' sirup of standard quality; which contains no excess of sediment; which is practically free of foreign matter; which has a Brix solids content of not less than 76 percent when corrected to 20° C. (68° F.); whch has a ratio of total sugars (sucrose plus reducing sugars) to Brix solids of not less than 70 percent; and which has a ratio of sulfated ash to Brix solids of not more than 14 percent.

(e) U. S. Substandard or U. S. Grade E Refiners' Sirup consists of refiners' sirup that fails to meet the specifications for U. S. Standard Refiners' Sirup.

(f) *Table of specifications for grades.* The specifications for the designated grades of refiners' sirup are set forth in summary form in Table 1 of this paragraph.

TABLE I—TABLE OF SPECIFICATIONS FOR GRADES

Factors	Grades and specifications			
	U. S. Fancy or U. S. Grade A refiners' sirup	U. S. Choice or U. S. Grade B refiners' sirup	U. S. Extra Std. or U. S. Grade C refiners' sirup	U. S. Standard or U. S. Grade D refiners' sirup
Brix solids corrected to 20° C. (68° F.).	Not less than 72 percent		Not less than 76 percent	
Ratio of total sugars (sucrose plus reducing sugars) to Brix solids.	Not less than 92 percent.	Not less than 86 percent.	Not less than 78 percent.	Not less than 70 percent.
Ratio of sulfated ash to Brix solids.	Not more than 3 percent.	Not more than 6 percent.	Not more than 10 percent.	Not more than 14 percent.
Color	No darker than RS Color Standard No. 1.	No darker than RS Color Standard No. 2.	No darker than RS Color Standard No. 3.	No color limit.

(g) *Tolerances for certification of officially drawn samples.* When certifying samples that have been officially drawn and which represent a specific lot of refiners' sirup, the grade for such lot will be determined by averaging the factors of all the samples representing the lot: *Provided,* That not more than ⅙ of such samples fail to meet the requirements of the grade specifications set forth in Table I: *And further provided,* That each of the samples which represent a specific lot of refiners' sirup meet the limiting specifications set forth in Table II of this paragraph.

TABLE II—TABLE OF LIMITING SPECIFICATIONS FOR REFINERS' SIRUP

Factors	Grades and specifications			
	U. S. Fancy or U. S. Grade A refiners' sirup	U. S. Choice or U. S. Grade B refiners' sirup	U. S. Extra Standard or U. S. Grade C refiners' sirup	U. S. Standard or U. S. Grade D refiners' sirup
Ratio of total sugars (sucrose plus reducing sugars) to Brix solids.	Not less than 91 percent.	Not less than 85 percent.	Not less than 77 percent.	Not less than 69 percent.
Ratio of sulfated ash to Brix solids.	Not more than 3.5 percent.	Not more than 6.5 percent.	Not more than 11 percent.	Not more than 15 percent.
Color	No darker than RS Color Standard No. 2.	No darker than RS Color Standard No. 3.	Darker than RS Color Standard No. 3.	

DETERMINATION OF FACTORS

§ 44.44 *Quantitative determination of factors.* Quantitative determination of the respective factors other than color is made by the methods set forth in this section for the respective factors: [4]

(a) *Brix solids.* By Brix hydrometer, correcting to 20° C. (68° F.), using the double dilution method.

(b) *Total sugars*—(1) *Sucrose.* By the chemical method, using invertase as the inverting agent; the Lane-Eynon volumetric method for reducing sugars before and after inversion; or by Jackson-Gillis double polarization method number IV.

(2) *Reducing sugar.* By the Lane-Eynon volumetric method, or by the Munson-Walker gravimetric method.

(c) *Sulfated ash.* By the sulfation method, with no deduction.

§ 44.45 *Preparation of basic solutions and RS color standards.* Chemicals of reagent grade, at room temperature, are used in the preparation of the solutions described in this section.

(a) *Preparation of basic solutions*—(1) *Solution A.* Dissolve 10 grams of $CuCl_2 \cdot 2H_2O$ in a sufficient quantity of 10 percent hydrochloric acid solution to make 100 milliliters.[5]

(2) *Solution B.* Dissolve 50 grams of $CoCl_2 \cdot 6H_2O$ in a sufficient quantity of 10 percent hydrochloric acid solution to make 500 milliliters.

(3) *Solution C.* Dissolve 50 grams of $FeCl_3 \cdot 6H_2O$ in a sufficient quantity of 10 percent hydrochloric acid solution to make 500 milliliters.

(4) *RS stock solution.* Mix 50 milliliters of Solution A and 485 milliliters of Solution B with 465 milliliters of Solution C.

(b) *Preparation of RS color standards*—(1) *RS Color Standard No. 1.* Dilute 10 milliliters of the RS stock solution to 100 milliliters with 10 percent hydrochloric acid solution.

(2) *RS Color Standard No. 2.* Dilute 18 milliliters of the RS stock solution to 100 milliliters with 10 percent hydrochloric acid solution.

(3) *RS Color Standard No. 3.* Dilute 50 milliliters of RS stock solution to 100 milliliters with 10 percent hydrochloric acid solution.

§ 44.46 *Use of RS color standards in determining color factor*—(a) *Containers required.* The containers needed to

[4] These methods are described in Official Methods of Analysis of the Association of Official Agricultural Chemists, Seventh Edition, 1950, except the Jackson-Gillis double polarization method number IV is described in Circular C440, Nat. Bur. Standards, May 1942, or in the Sugar Analysis, by Browne and Zerban, 3d Edition, 1948, John Wiley & Sons, Inc.

[5] Ten percent hydrochloric acid solution is prepared by diluting 242.6 milliliters of reagent grade hydrochloric acid to one liter.

perform the visual color comparison test set forth in paragraph (c) of this section are:

(1) A container for a sample of refiners' sirup for which the color factor is to be determined (such container hereinafter called "sample container"); and

(2) Containers for the respective RS color standards.

(b) *Description of containers.* The sample container is made of colorless and transparent glass or plastic material and is of such shape and construction as to provide a flat ⅛-inch thickness of the sample to be viewed. The container for each RS color standard is a colorless and transparent 2-ounce French square water sample bottle having outside base dimensions of 1 7/16 inches by 1 7/16 inches.

(c) *Visual comparison test.* A sample of refiners' sirup is compared in the following manner with the RS color standards to determine whether the sample is darker than one or more of such color standards:

(1) Place each of the RS Color Standards Nos. 1, 2, and 3 in separate 2-ounce French square water sample bottles;

(2) Place a sample of the refiners' sirup in a sample container; and

(3) In order to determine whether the sample is darker than one or more of the RS color standards, visually compare the sample with each of the color standards by looking through them at a light-colored background in diffuse light. The sample is viewed through its ⅛-inch thickness; and each RS color standard is viewed at right angles to one of the sides of its container.

Issued at Washington, D. C., this 28th day of December 1951, to become effective thirty (30) days after date of publication in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-146; Filed, Jan. 4, 1952; 8:59 a. m.]

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter H—Determination of Wage Rates

[Sugar Determination 867.4]

PART 867—SUGARCANE; PUERTO RICO

CALENDAR YEAR 1952

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948 (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in San Juan, Puerto Rico, on September 20 and 21, 1951, the following determination is hereby issued:

§ 867.4 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1952*—(a) *Requirements.* The requirements of section 301 (c) (1) of the act shall be deemed to have been met with respect to the production, cultivation, or harvesting of sugarcane in Puerto Rico for the calendar year 1952 if the producer complies with the following:

(1) *Wage rates.* All persons employed on the farm in the production, cultivation, or harvesting of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the laborer, but after the date of issuance of this determination, not less than the following:

(i) *Day rates*—(*a*) *Basic rates.* The basic day rate for the first 8 hours of work performed in any 24-hour period (except that for ditch diggers, ditch cleaners, or field flooders in Class E, hereinbelow, the applicable day rate shall be for the first 7 hours of work performed in any 24-hour period) shall be as follows:

Class of work:	*Basic rates per day*
A. All kinds of work not classified below	$2.15
B. Operators of mechanical equipment, such as tractors, trucks, tractor plows	3.00
Classified nonharvest operations:	
C. Cartmen in cultivation work	2.25
D. Plow steersmen and operators of irrigation pumps, and all work connected with mixing and applying chemical weed killers	2.45
E. Ditch diggers, ditch cleaners, field flooders (per 7-hour day)[1]	2.45
Classified harvest operations:	
F. Cartmen in harvest work	2.65
G. Sugarcane cutters (for grinding or planting), seed cutters, crane operators, dumpers	2.45
H. Portable track handlers, railroad or portable track car loaders	2.65
I. Cane cart or truck loaders	2.55

[1] Field flooders shall be deemed to be workers who set up or remove banks in drainage ditches when used for flooding sugarcane fields.

(*b*) *Wage increases.* For each 10 cents or fraction thereof that the price of raw sugar (duty paid basis, delivered) averages more than $5.00 per one hundred pounds but not more than $7.00 per one hundred pounds for the two-week period immediately preceding the two-week period during which the work is performed, a wage increase of 5.0 cents per day above the rate prescribed under subdivision (i) (*a*) of this subparagraph shall be paid for each day of work during such two-week period: *Provided,* That the average price of raw sugar prevailing during the period from December 6 through December 19, 1951, shall determine the amount of wage increase effective during the work period January 1 through January 2, 1952, and thereafter the amount of wage increases in successive two-week work periods shall be determined by the average price of raw sugar prevailing in the immediately preceding two-week period. The two-week average price of raw sugar (duty paid basis, delivered) shall be determined by taking the simple average of the daily spot quotations of 96° raw sugar of the New York Coffee and Sugar Exchange (domestic contract) expressed in terms of a one hundred pound unit and adjusted to a duty paid basis, delivered, by adding to each daily quotation the United States duty prevailing on Cuban raw sugar on that day, except that, if the Director of the Sugar Branch determines that for any two-week period such average price does not reflect the true market value of raw sugar, because of inadequate volume or other factors, the Director may designate the average price to be effective under this determination.

(ii) *Hourly rates.* Where persons are employed on an hourly basis for a period not in excess of 8 hours (7 hours in Class E) in any 24-hour period, the hourly rate shall be determined by dividing the applicable day rate provided in subdivision (i) of this subparagraph by 8 (by 7 in Class E).

(iii) *Overtime.* Persons employed for more than 8 hours (or 7 hours under Class E) in any 24-hour period shall be paid for the overtime work at a rate double the applicable hourly rate provided in subdivision (ii) of this subparagraph.

(iv) *Piecework rates.* If work is performed on a piecework basis, the average earnings for the time involved on each separate unit of work for which a piecework rate is agreed upon shall be not less than the applicable daily or hourly rate provided in subdivisions (i), (ii), and (iii) of this subparagraph.

(2) *Perquisites.* In addition to the foregoing, the producer shall furnish to the laborer without charge the perquisites customarily furnished by him such as a dwelling, garden plot, pasture lot, and medical services.

(b) *Subterfuge.* The producer shall not reduce the wage rates to laborers below those determined in this section through any subterfuge or device whatsoever.

(c) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the Caribbean Area Office, Production and Marketing Administration, San Juan, Puerto Rico, against the producer on whose farm the work was performed. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Detailed instructions and wage claim forms are available at that office. Upon receipt of a wage claim the Caribbean Area Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the laborer and, after making such investigation as it deems necessary, shall notify the producer and laborer in writing of its recommendation for settlement of the claim. If the recommendation of the Area Office is not acceptable, either party may file an appeal with the Director of the Sugar Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. Such appeal shall be filed within 15 days after receipt of the recommended settlement from the Area Office, otherwise such recommended settlement will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Branch, his decision shall be binding on all parties insofar as payments under the act are concerned.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable wage rates which a producer must pay, as a minimum, for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1952, as one of the conditions for payment under the act.

(b) *Requirements of the act and standards employed.* In determining fair and reasonable wage rates it is required under the act that a public hearing be held, that investigations be made, and that consideration be given to (1) the standards formerly established by the Secretary under the Agricultural Adjustment Act, as amended, and (2) the differences in conditions among various sugar producing areas.

A public hearing was held in San Juan, Puerto Rico, on September 20, 1951, at which interested persons presented testimony with respect to fair and reasonable wage rates for the calendar year 1952. In addition, investigations have been made of the conditions affecting wage rates in Puerto Rico. In this determination, consideration has been given to testimony presented at the hearing and to information resulting from investigations. The primary factors which have been considered are (1) prices of sugar and by-products; (2) income from sugarcane; (3) cost of production; (4) cost of living; and (5) relationship of labor cost to total cost. Other economic influences also have been considered.

(c) *1952 wage determination.* This determination differs from the 1951 determination in that basic wage rates are related to a raw sugar price, of $5.00 instead of $3.80 per 100 pounds and that basic wage rates have been increased 11 cents per day for all classes of workers above the rates that would have prevailed under the 1951 determination at the $5.00 sugar level. Also, the wage escalator scale provides increases of 5 cents per day above basic wage rates for each 10 cents or fraction thereof increase in the average price of raw sugar above $5.00 per 100 pounds. The wage escalator provision in the prior determination was 4.5 cents per day for each 10-cent price bracket. In addition, there has been eliminated the lower wage scale provided in former determinations for certain farms in the interior regions of the Island. As a result of these changes, minimum wage rates on farms other than interior farms are increased an average of approximately 6 percent above the rates provided in the 1951 wage determination and on farms previously classified as interior farms, approximately 11 percent.

The last previous revision of the basic wage was made in 1944. However, determinations of fair and reasonable wage rates for Puerto Rico for a number of years have included a provision for wage increases over and above basic rates whenever the price of raw sugar exceeded a stated level. This provision has had the effect of adjusting wage rates to conform to changes in raw sugar price and grower income and in a general way to the cost of living. Although changes have occurred in other factors customarily considered in wage determinations, the trends of such changes in the past have not been sufficiently clear to warrant revision of the wage structure.

In examining the factors affecting the wage rates in Puerto Rico, the Department had available data with respect to costs, returns and profits of the Puerto Rican sugar industry. These data indicate that under conditions likely to prevail in 1952 the wage rates specified in this determination are within producers' ability to pay. An examination of worker productivity indicates that after a war and postwar decline significant improvement has occurred in recent years. The trend is now sufficiently established to indicate that productivity has improved for reasons unrelated to the year-to-year influence of crop conditions. Cost of food and clothing to sugarcane workers has increased during the current year and recent information suggests that there will be a further upward trend during the next calendar year. The changes in this determination reflect in part a realignment of basic rates to a base raw sugar price more in line with current levels and in part a reappraisal of all factors customarily considered in wage determinations.

The lower level of minimum wages provided in prior determinations for certain farms in the interior region has been eliminated because the economic justification for the differential, which once may have existed, has lost significance in recent years and because additional farms have come into existence in the same region, operate under similar conditions but are required to pay wages at the higher level. Elimination of the wage differential obviates the inequity of dissimilar minimum wage requirements for contiguous farms.

In addition to the payment of cash wages, producers are required to furnish to workers without charge customary perquisites such as a habitable house, medical attention and similar items.

After full consideration of all information available, the rates provided in this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 29th day of December 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-90; Filed, Jan. 4, 1952; 8:50 a. m.]

Subchapter I—Determination of Prices

[Sugar Determination 877.4]

PART 877—SUGARCANE; PUERTO RICO

1951–52 CROP

Pursuant to the provisions of Section 301 (c), (2), of the Sugar Act of 1948, (herein referred to as "act"), after investigation, and due consideration of the evidence presented at the public hearing held in San Juan, Puerto Rico, on September 20 and 21, 1951, the following determination is hereby issued:

§ 877.4 *Fair and reasonable prices for the 1951–52 crop of Puerto Rican sugarcane.* A processor-producer of sugarcane in Puerto Rico who applies for payment under the act shall be deemed to have complied with the provisions of section 301 (c) (2) of the act with respect to the 1951–52 crop, if the requirements of this determination are met.

(a) *Definitions.* For the purpose of this section the term:

(1) "Raw sugar" means raw sugar of 96° polarization.

(2) "Sugar yield period" means the fortnight or month, as agreed upon between the producer and the processor-producer, in which sugarcane is delivered by the producer to the processor-producer.

(3) "Average price of raw sugar" means the simple average of the daily spot quotations of raw sugar of the New York Coffee and Sugar Exchange (domestic contract), adjusted to a duty paid basis by adding to each daily quotation the U. S. duty prevailing on Cuban raw sugar on each day for the period specified in applicable subdivisions of paragraph (b) of this section, except, that if the Director of the Sugar Branch determines that such average price does not reflect the true market value of raw sugar, the Director may designate the average price to be effective under this determination.

(4) "F. o. b. mill price" means the average price of raw sugar minus admissible deductions for selling and delivery expenses for raw sugar sold for shipment outside of Puerto Rico or minus equivalent deductions for raw sugar sold or processed in Puerto Rico. (Admissible deductions for selling and delivery expenses are listed in schedule "A" attached hereto and made a part hereof).

(5) "Inferior varieties of sugarcane" means sugarcane of the Saccharum Spontaneum or Saccharum Sinense variety (including sugarcane of the Japanese, Uba, Kavangerie, Zuinga, Caladonia, Coimbatore 213 and Coimbatore 281 varieties)

(6) "Yield of raw sugar" means (i) for varieties other than inferior varieties of sugarcane, the yield of raw sugar per one hundred pounds of sugarcane determined for the sugar yield period in accordance with the following formula:

$$R=(S-0.3B)F$$

where:

R=Recoverable sugar yield, 96° polarization.

S=Polarization of the crusher juice obtained from the sugarcane of each producer.

B=Brix of the crusher juice obtained from the sugarcane of each producer.

F=Factor obtained from the fraction whose numerator is the average yield of sugar of 96° polarization obtained from the aggregate grinding during the sugar yield period in which the sugarcane of the producer has been ground, and whose denominator is the average polarization of the crusher juice, minus

three-tenths of the brix of the crusher juice, both components of the denominator being obtained from the aggregate grinding during the sugar yield period in which the sugarcane of the producer has been ground; or

(ii) For inferior varieties of sugarcane, the yield of raw sugar per 100 pounds of sugarcane determined for the sugar yield period in accordance with the formula used during the 1950–51 crop grinding season.

(7) "Marketing allotment" means the sum of the allotment to a processor-producer of the sugar quota for Puerto Rico for consumption in the continental United States and the allotment to a processor-producer of the sugar quota for local consumption in Puerto Rico, for 1952 unless otherwise specified.

(b) *Basic payment.* (1) The basic payment for sugarcane delivered by the producer (colono) to the processor-producer shall be made as agreed upon by the producer and the processor-producer, either by the delivery to the producer of his share of raw sugar packed in customary bags, or by the payment to the producer of the money value of his share of raw sugar.

(2) For sugarcane (including inferior varieties of sugarcane) having a yield of raw sugar of 9 pounds or more, such basic payment shall be not less than the quantity of raw sugar determined by applying the following applicable percentage to the yield of raw sugar of the producer's sugarcane:

Pounds of raw sugar per 100 pounds of sugarcane:	Percentage
9.0	63.0
9.5	63.5
10.0	64.0
10.5	64.5
11.0	65.0
11.5	65.5
12.0	66.0
12.5	66.5
13.0	67.0
13.5 and over	67.5

Intermediate points within the above scale are to be interpolated to the nearest one-tenth point.

(3) For sugarcane (including inferior varieties of sugarcane) having a yield of raw sugar of less than 9 pounds, such basic payment shall be not less than the quantity determined by subtracting 3⅓ pounds of raw sugar from the yield of raw sugar of the producer's sugarcane.

(4) If settlement with the producer is made in cash, the processor-producer shall pay, or contract to pay, the producer the money value of his share of raw sugar determined from the following:

(i) For sugarcane from which was made the producer's share of raw sugar which is within the marketing allotment of the processor-producer or within an increase in such allotment prior to November 1, 1952, the average price of raw sugar for the period January 1, 1952, through October 31, 1952, converted to the f. o. b. mill price.

(ii) For sugarcane from which was made the producer's share of raw sugar which is within an increase in the marketing allotment of the processor-producer subsequent to October 31, 1952, the average price of raw sugar, converted to the f. o. b. mill price, for the marketing days within the 30-day period (commencing with the first marketing day) immediately following the effective date of the order permitting the marketing of such raw sugar: *Provided,* That such period shall not extend beyond December 31, 1952.

(iii) For sugarcane from which was made the producer's share of raw sugar which is not within the marketing allotment of the processor-producer, the average price of raw sugar for the period January 1, 1953, through March 31, 1953, converted to the f. o. b. mill price, and further subject to deductions for storage, handling costs, insurance, personal property taxes levied on raw sugar and other related costs actually incurred on such sugar during the period January 1, 1953, through March 31, 1953. *Provided,* That, if the producer and processor-producer so agree, for sugarcane from which was made the producer's share of such raw sugar which is sold for shipment to points other than the continental United States or Puerto Rico, the actual price received per 100 pounds of raw sugar minus applicable selling and delivery expenses actually incurred.

(iv) For purposes of subdivision (i) of this subparagraph, the producer's share of raw sugar which is within the marketing allotment of the processor-producer shall be determined by, first, applying to the producer's share of raw sugar produced from his sugarcane, the percentage obtained by dividing the marketing allotment of the processor-producer by the total quantity of raw sugar produced by the processor-producer from the 1951–52 crop and second, by subtracting therefrom that portion of the producer's share of 1950–51 crop sugar not within the 1951 marketing allotment and not sold for shipment to points other than the continental United States or Puerto Rico. For the purposes of subdivision (ii) of this subparagraph, the portion of the producer's share of raw sugar within an increase in the marketing allotment shall be determined by applying to the producer's share of raw sugar produced from his sugarcane, the percentage obtained by dividing the quantity of raw sugar within an increase of the marketing allotment of the processor-producer by the total quantity of raw sugar produced by the processor-producer. For purposes of subdivision (iii) of this subparagraph, the portion of the producer's share of raw sugar not within the marketing allotment of the processor-producer or an increase thereof, shall be determined by deducting from the producer's share of raw sugar of the 1951–52 crop, the sum of the quantities determined in subdivisions (i) and (ii) of this subparagraph.

(c) *Molasses payment.* For each ton of sugarcane delivered, the processor-producer shall pay to the producer an amount equal to the product of (1) 66 percent of the net proceeds per gallon of blackstrap molasses of the 1951–52 crop in excess of five cents per gallon and (2) the average production of blackstrap molasses per ton of sugarcane of the 1951–52 crop processed at the mill.

(d) *General.* (1) If sugarcane is delivered to the processor-producer in the name of a person other than the producer thereof (commonly referred to as "purchasing agent"), the processor-producer shall make payment to the producer of such sugarcane in accordance with the provisions of this section.

(2) When payment is made to the producer by the delivery of raw sugar, the processor-producer shall store and insure (or agree to store and insure) all such sugar through December 31, 1952, free of charge to the producer: *Provided,* That the producer shall bear any charges arising out of the necessity of utilizing outside storage facilities for such sugar prior to January 1, 1953.

(3) When payment is made to the producer by the delivery of raw sugar, the processor-producer shall share (or agree to share) with the producers on a pro rata basis all ocean shipping facilities available to the processor-producer.

(4) Allowances made to producers by the processor-producer for the 1949–50 crop shall be made for the 1951–52 crop at the rates which were effective under comparable conditions in 1949–50; services performed, the costs of which were absorbed by the processor-producer for the 1949–50 crop, shall be performed for the 1951–52 crop: *Provided,* That nothing in this subparagraph shall be construed as prohibiting modification of practices which may be necessary because of unusual circumstances, any modifications to be subject to approval of the Caribbean Area Office of the P&MA.

(5) The processor-producer shall submit to the Caribbean Area Office, PMA, San Juan, Puerto Rico, within a reasonable time prior to the commencement of grinding, a list of those producers with whom settlement will be made in cash and those with whom settlement will be made in sugar.

(6) The processor-producer shall submit in duplicate to the Caribbean Area Office, Production and Marketing Administration, San Juan, Puerto Rico, a statement verified by a certified public accountant of the deductions made in determining the f. o. b. mill price and deductions relating to carry-over sugar.

(e) *Subterfuge.* The processor-producer shall not reduce returns to the producer below those determined in this section through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination provides fair and reasonable prices to be paid by a processor-producer (i. e., a producer who is directly or indirectly a processor of sugarcane—hereinafter referred to as "processor") for sugarcane of the 1951–52 crop purchased from other producers. It prescribes the minimum requirements with respect to prices for sugarcane which must be met as one of the conditions for payment under the act.

(b) *Requirements of the act.* The act requires that in determining fair and reasonable prices public hearings be held and investigations made. Accordingly, on September 20 and 21, 1951,

a public hearing was held in San Juan, Puerto Rico, at which time interested persons presented testimony with respect to fair and reasonable prices for the 1951–52 crop of sugarcane. In addition, investigations have been made of conditions relating to the sugar industry in Puerto Rico. In this price determination, consideration has been given to testimony presented at the hearing and to information resulting from the investigations.

(c) *1951–52 price determination.* The 1951–52 price determination differs from the prior determination in four major respects. First, the average raw sugar price for the first 10 months of the calendar year becomes the basis for each settlement for sugarcane from which is made sugar within the quota as of October 31. Second, if the producer and the processor so agree, the actual price received for all non-quota sugar sold to points other than the continental United States or Puerto Rico becomes the basis for cash settlement for the sugarcane from which such sugar is made. Lacking agreement, cash settlement for such sugarcane is the same as for sugarcane from which is made non-quota sugar carried over for sale during 1953 in the continental United States or Puerto Rico, i. e., the average raw sugar price for the first 3 months of 1953. Third, the producer's share of sugar sold to points other than the continenal United States or Puerto Rico, unlike his share of carryover sugar, does not become a charge against his share of the processor's marketing allotment for the subsequent year. Fourth, the method of determining selling and delivery expenses is revised to permit a flat charge of 8.7 cents per 100 pounds of raw sugar in lieu of all selling and delivery expenses other than transportation, wharfage and necessary outside storage.

In addition, there are several minor changes. The alternative formula for calculating the yield of raw sugar, which has fallen into disuse in recent years, is eliminated; the types of Coimbatore sugarcane classified as inferior sugarcane are limited to the two types designated in the determination; the basis of cash settlement for sugarcane from which is made raw sugar within an increase in the marketing allotment made subsequent to October 31 is the average price for the 30 marketing days following the effective date of the increase or for the remaining marketing days of the year.

At the public hearing, producers recommended that cash settlement for their share of quota sugar be based on the average price of raw sugar for the period January 1–October 31. Representatives of both producers and processors concurred in the proposal to revise the definition of admissible selling and delivery expenses. Both suggested that the alternative formula for calculating sugar yield be discontinued because it no longer is used in Puerto Rico. A processor representative proposed that Coimbatore types 419 and 421 be designated as noble sugarcane, while a producer representative recommended that the inferior types of Coimbatore be limited to 213 and 281.

The basis of cash settlement for the bulk of the Puerto Rican sugarcane has been lengthened to include the 10 months when most of the Puerto Rican raw sugar is sold to U. S. refiners in order to relate sugarcane prices more closely to raw sugar prices. The new basis for sugarcane settlement provides a more equitable distribution of the returns from sugar between producers and processors and should tend to promote more orderly marketing of Puerto Rican raw sugar.

It is likely that the price received for sugar sold for shipment to points other than the continental United States or Puerto Rico will be less than the New York price. Therefore, the determination provides that, if the producer so agrees, settlement for the sugarcane from which such sugar is made shall be based on the actual price received. Inasmuch as such sales reduce the quantity of carryover sugar which must be marketed in competition with new crop sugar, the determination provides that the producer's share of such sugar shall not be charged against his share of the marketing allotment for new crop sugar.

The method of computing admissible selling and delivery expenses has been revised to simplify sugarcane settlement procedure and also to promote efficient sugar marketing. The flat allowance of 8.7 cents is made in lieu of those selling and delivery expenses which are approximately equal for all processors who ship bagged sugar. Expenses for ocean freight, inland transportation, lighterage, wharfage, and necessary outside storage continue, as in the past, to be admissible as actually incurred.

At the public hearing, producers also recommended other changes designed to increase their share of returns from sugar, while processors presented data to show that such increase is not warranted. In making this determination the Department had available data with respect to costs, returns and profits of the Puerto Rican sugar industry. These data indicate that under the conditions likely to prevail for the 1951–52 crop, only the probable increase in producer returns resulting from the action of relating the sugarcane pricing period more closely to the raw sugar marketing period is warranted. This determination with the indicated changes is deemed to provide fair and reasonable prices for sugarcane of the 1951–52 crop.

Accordingly, I hereby find and conclude that the foregoing price determination will effectuate the price provisions of the Sugar Act of 1948.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. Sup. 1131)

Issued this 29th day of December 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

SCHEDULE A

ADMISSIBLE DEDUCTIONS FOR SELLING AND DELIVERY EXPENSES

Admissible deductions for selling and delivery expenses are for those expenses incurred through December 31, 1952 on 1951–52 crop raw sugar which commence with the unstacking of raw sugar at the warehouse and include expenses incurred thereafter incidental to the delivery of raw sugar to the purchaser. The deductions are limited to the sum of the following expenses actually incurred by a processor-producer, net of any receipts which reduce such expenses:

1. Necessary outside storage;
2. Freight from warehouse to dock, including covering cars where necessary;
3. Handling at dock, including unloading and stacking;
4. Wharfage, lighterage, and dock warehousing when incurred as an item separate from wharfage and when necessary in delivery of sugar from warehouse or mill to shipside;
5. Ocean freight;
6. Freight demurrage resulting from causes beyond the control of the shipper,

and an allowance not to exceed 8.7 cents per hundredweight of 96° raw sugar in lieu of:

7. Unstacking, tallying and loading;
8. Shore risk, marine and war risk insurance;
9. Rebagging and mending whenever and wherever incurred;
10. Brokerage or Commissions and Exchange;
11. Weighing, testing, sampling, mending and taring at destination;
12. All other expenses not included in items 1 through 6 above.

When any of the necessary services included in items 1 through 6 above are furnished by the processor-producer, costs incurred shall include for each of the services rendered:

1. Direct and immediate supervisory labor;
2. Maintenance labor and supplies required for the facilities used;
3. Taxes and insurance assessed or charged to the processor-producer on such labor and a proportionate share of retirement and pension, bonuses and vacation expenses properly allocable to such labor;
4. Direct supplies;
5. Depreciation (at rates allowed by the taxing authority), property taxes, and property insurance on the facilities used.

Administrative expenses and interest shall be excluded from the computation of costs. In the event that facilities used in providing the necessary services are also used for other purposes by the processor-producer, only that portion of the maintenance, depreciation, property taxes, and property insurance of such facilities properly apportionable to the necessary service shall be allowed.

The Director, PMA Caribbean Area Office, may, by administrative interpretation, permit the use of the lowest rate charged by a public utility or carrier for comparable service in lieu of the cost incurred by the processor-producer in furnishing the necessary service in the event that the costs incurred therefor cannot be accurately determined.

In determining the f. o. b. mill price of raw sugar sold or processed in Puerto Rico, equivalent selling and delivery expenses as approved by the Director, Caribbean Area Office, PMA, San Juan, Puerto Rico, may be allowed in lieu of expenses actually incurred.

The following certification shall be made on statements submitted to the Caribbean Area Office, PMA, San Juan, Puerto Rico:

CERTIFICATION

I hereby certify that the deductions set forth herein are properly chargeable as deductions for selling and delivery expenses in accordance with the determination of fair and reasonable prices for the 1951–52 crop of Puerto Rican sugarcane.

[F. R. Doc. 52-91; Filed, Jan. 4, 1952; 8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 207]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.550 *Orange Regulation 207*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than January 7, 1952. Shipments of oranges, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 15, 1951, and will so continue until January 7, 1952; the recommendation and supporting information for continued regulation subsequent to January 6 was promptly submitted to the Department after an open meeting of the Growers Administrative Committees on January 2; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., January 7, 1952, and ending at 12:01 a. m., e. s. t., January 14, 1952, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (*a*) are in the same container with oranges which grade at least U. S. No. 1 Russet and (*b*) are not in excess of 50 percent, by count, of the number of all oranges in such container; or

(iv) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which are of a size smaller than $2\frac{1}{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Oranges (7 CFR 51.192): *Provided,* That in determining the percentage of oranges in any lot which are smaller than $2\frac{1}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 3 inches in diameter and smaller.

(v) Any Temple oranges, grown in Regulation Area I or Regulation Area II, which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade.

(2) As used in this section, the terms "handler," "ship," "Regulation Area I," "Regulation Area II," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," and "container" shall each have the same meaning as when used in the revised United States Standards for Oranges (7 CFR 51.192).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-202; Filed, Jan. 4, 1952; 9:10 a. m.]

[Grapefruit Reg. 152]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 935.551 *Grapefruit Regulation 152*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than January 7, 1952. Shipments of grapefruit grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 17, 1951, and will so continue until January 7, 1952; the recommendation and supporting information for continued regulation subsequent to January 6 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 2; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., January 7, 1952, and ending at 12:01 a. m., e. s. t., January 21, 1952, no handler shall ship:

(i) Any grapefruit of any variety, except white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(ii) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit,

packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iv) Any seedless grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vi) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section "handler," "variety," and "ship," shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Grapefruit (7 CFR 51.191).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-201; Filed, Jan. 4, 1952; 9:10 a. m.]

[Tangerine Reg. 117]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.552 *Tangerine Regulation 117*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than January 7, 1952. Shipments of tangerines, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 15, 1951, and will so continue until Janary 7, 1952; the recommendation and supporting information for continued regulation subsequent to January 6 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 2; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., January 7, 1952, and ending at 12:01 a. m., e. s. t., January 14, 1952, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2" and "standard pack" shall have the same meaning as when used in the United States Standards for Tangerines (7 CFR 51.416).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-203; Filed, Jan. 4, 1952; 9:11 a. m.]

[Lemon Reg. 415, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.522 (Lemon Regulation 415, 16 F. R. 13120) are hereby amended to read as follows:

(ii) District 2: 225 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-199; Filed, Jan. 4, 1952; 9:10 a. m.]

[Lemon Reg. 416]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.523 *Lemon Regulation 416*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 691 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said

amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on January 2, 1952, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 6, 1952, and ending at 12:01 a. m., P. s. t., January 13, 1952, is hereby fixed as follows:

(i) District 1: 35 carloads;

(ii) District 2: 230 carloads;

(iii) District 3: 10 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 415 (16 F. R. 13120) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-200; Filed, Jan. 4, 1952; 9:10 a. m.]

[Orange Reg. 405]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.551 *Orange Regulation 405*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on January 3, 1952, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., January 6, 1952, and ending at 12:01 a. m., P. s. t., January 13, 1952, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: 650 carloads;

(*b*) Prorate District No. 2: 275 carloads;

(*c*) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 4th day of January 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. s. t., Jan. 6, 1952, to 12:01 a. m., P. s. t., Jan. 13, 1952]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Lindsay	1.3417
A. F. G. Porterville	1.4867
Ivanhoe Cooperative Association	.7441
Placentia Cooperative Orange Association	.0000
Sandilands Fruit Co	.5259
Dofflemyer & Son, W. Todd	.6415
Earlibest Orange Association	2.2371
Elderwood Citrus Association	.7743
Exeter Citrus Association	2.8532
Exeter Orange Growers Association	1.7671
Exeter Orchards Association	1.4741
Hillside Packing Association	1.1205
Ivanhoe Mutual Orange Association	1.2910

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Klink Citrus Association	3.8017
Lemon Cove Association	1.8046
Lindsay Citrus Growers Association	2.5663
Lindsay Cooperative Citrus Association	.7341
Lindsay Fruit Association	1.7529
Lindsay Orange Growers Association	.8074
Naranjo Packing House Co	1.2420
Orange Cove Citrus Association	4.0820
Orange Packing Co	1.3517
Orosi Foothill Citrus Association	1.8056
Paloma Citrus Fruit Association	.9372
Rocky Hill Citrus Association	2.1401
Sanger Citrus Association	4.1879
Sequoia Citrus Association	.7625
Stark Packing Corp	3.1569
Visalia Citrus Association	2.3679
Waddell & Son	1.4238
Baird-Neece Corp	1.7556
Beattie Association, D. A	.6300
Grand View Heights Citrus Association	3.2687
Magnolia Citrus Association	2.0146
Porterville Citrus Association, The	1.3211
Richgrove-Jasmine Citrus Association	1.7979
Strathmore Cooperative Association	.7811
Strathmore District Orange Association	1.6637
Strathmore Packing House Co	2.1088
Sunflower Packing Association	3.4125
Sunland Packing Association	2.3918
Terra Bella Citrus Association	1.6943
Tule River Citrus Association	.8669
Euclid Avenue Orange Association	.3327
Lindsay Mutual Groves	1.1178
Martin Ranch	1.8845
Orange Cove Orange Growers	3.0075
Woodlake Packing House	2.5230
Anderson Packing Co	.6092
Baker Bros	.2605
Barnes, J. L	.0198
Batkins, Fred A	.0702
Bear State Packers, Inc	.2675
California Citrus Groves, Inc., Ltd	2.6208
Chess Co., Meyer W	.1963
Clemente, Lorenzo	.1507
Collum, J. B	.0130
Darby, Fred J	.0354
Darling, Curtis	.0010
Dubendorf, John	.1335
Edison Groves Co	.0000
Evans Bros. Packing Co	.1037
Granada Packing Co	.0000
Haas, W. H	.1735
Harding & Leggett	2.3108
Independent Growers, Inc	1.5403
Kim, Charles N	.0567
Kroells Packing Co	1.9010
Larson, Louis	.1446
Lo Bue Bros	.5865
Maas, W. A	.0738
Marks, W. & M	.4060
Nicholas, Joe	.0217
Nicholas, Richard	.0043
Paramount Citrus Association	.2458
Powell, John W	.0217
Randolph Marketing Co	2.3417
Reimers, Don H	.5760
Terry, Floyd H	.1286
Toy Chin	.0289
Zaninovich Bros., Inc	1.2022

Prorate District No. 2

Total	100.0000
A. F. G. Alta Loma	.2114
A. F. G. Corona	.2768
A. F. G. Fullerton	.0327
A. F. G. Orange	.0391
A. F. G. Riverside	.6964

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
A. F. G. Santa Paula	0.0476
Eadington Fruit Co., Inc	.7121
Hazeltine Packing Co	.0737
Placentia Cooperative Orange Association	.5453
Placentia Pioneer Valencia Growers Association	.0441
Signal Fruit Association	.9851
Azusa Citrus Association	1.1380
Covina Citrus Association	1.4786
Covina Orange Growers Association	.4686
Damerel-Allison Association	1.0531
Glendora Citrus Association	1.5321
Glendora Mutual Orange Association	.5781
Valencia Heights Orchard Association	.2362
Gold Buckle Association	2.8534
La Verne Orange Association	4.4287
Anaheim Valencia Orange Association	.0143
Fullerton Mutual Orange Association	.3883
La Habra Citrus Association	.1602
Yorba Linda Citrus Association	.0579
Escondido Orange Association	.5240
Alta Loma Heights Citrus Association, The	.3624
Citrus Fruit Growers	.8673
Etiwanda Citrus Fruit Association	.1580
Mountain View Fruit Association	.1227
Old Baldy Citrus Association	.4352
Rialto Heights Orange Growers	.3483
Upland Citrus Association	2.2916
Upland Heights Orange Association	1.4111
Consolidated Orange Growers	.0252
Frances Citrus Association	.0126
Garden Grove Citrus Association	.0271
Goldenwest Citrus Association	.1415
Olive Heights Citrus Association	.0432
Santa Ana-Tustin Mutual Citrus Association	.0151
Santiago Orange Growers Association	.1492
Tustin Hills Citrus Association	.0180
Villa Park Orchard Association	.0345
Bradford Bros., Inc	.2100
Placentia Mutual Orange Association	.2128
Placentia Orange Growers Association	.1952
Yorba Orange Growers Association	.0581
Corona Citrus Association	.9505
Jameson Co	.6536
Orange Heights Orange Association	3.1657
Crafton Orange Growers Association	1.0902
East Highlands Citrus Association	.4334
Redlands Heights Groves	.7124
Redlands Orangedale Association	1.0857
Rialto-Fontana Citrus Association	.4246
Break & Son, Allen	.2785
Bryn Mawr Fruit Growers Association	1.2180
Mission Citrus Association	1.1580
Redlands Cooperative Fruit Association	1.0079
Redlands Orange Growers Association	1.0315
Redlands Select Groves	.5499
Rialto Orange Co	.0062
Southern Citrus Association	.7514
United Citrus Growers	.8372
Zilen Citrus Co	.5188
Arlington Heights Citrus Co	1.3400
Brown Estate, L. V. W	1.8696
Gavilan Citrus Association	1.9371
Highgrove Fruit Association	.0373
Krinard Packing Co	2.0854
McDermont Fruit Co	1.7572
Monte Vista Citrus Association	1.4460
National Orange Co	1.3037

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Riverside Citrus Association	0.2033
Riverside Heights Orange Growers Association	1.0551
Sierra Vista Packing Association	.8237
Victoria Ave. Citrus Association	3.2387
Claremont Citrus Association	.9141
College Heights Orange & Lemon Association	1.5235
Indian Hill Citrus Association	1.2341
Pomona Fruit Growers Exchange	1.9043
Walnut Fruit Growers Association	.5930
West Ontario Citrus Association	1.1845
El Cajon Valley Citrus Association	.2031
Escondido Cooperative Citrus Association	.0456
San Dimas Orange Growers Association	1.1910
Canoga Citrus Association	.0911
North Whittier Heights Citrus Association	.1550
San Fernando Heights Orange Association	.3601
Sierra Madre-Lamanda Citrus Association	.1259
Camarillo Citrus Association	.0051
Fillmore Citrus Association	1.0606
Ojai Orange Association	.6934
Piru Citrus Association	1.1234
Rancho Sespe	.0010
Santa Paula Orange Association	.1039
Ventura County Citrus Association	.0443
East Whittier Citrus Association	.0029
Murphy Ranch Co	.0577
Anaheim Cooperative Orange Association	.0000
Bryn Mawr Mutual Orange Association	.5356
Chula Vista Lemon Association	.0307
Euclid Ave. Orange Association	2.6316
Foothill Citrus Union, Inc	.5372
Fullerton Cooperative Orange Association	.0033
Garden Grove Orange Cooperative Inc	.0000
Golden Orange Groves, Inc	.2483
Index Mutual Association	.0075
La Verne Cooperative Citrus Association	4.0300
Montono Heights Association	.6715
Olive Hillside Groves	.0030
Redlands Foothill Groves	2.3433
Redlands Mutual Orange Association	1.1384
Ventura County Orange & Lemon Association	.3315
Whittier Mutual Orange & Lemon Association	.0172
Allec Bros	.0028
Babijuice Corp. of California	.2697
Becker, Samuel Eugene	.0094
Book, Maynard C	.0003
Borden Fruit Co	.0055
Cherokee Citrus Co., Inc	1.1045
Chess Co., Meyer W	.4393
Dunning Ranch	.2153
Evans Bros. Packing Co	.8172
Gold Banner Association	1.7741
Granada Packing House	.1783
Highgrove Citrus Co	.1879
Hill Packing House, Fred A	.8408
Holland, M. J	.0146
Knapp Packing Co., John C	.0474
Orange Belt Fruit Distributors	1.7545
Orange Hill Groves	.3979
Panno Fruit Co., Carlo	.0613
Paramount Citrus Association	.0733
Placentia Orchard Co	.0750
Ronald, P. W	.0283
Stephens & Cain	.2770
Wall, E. T., Grower-Shipper	2.0623
Western Fruit Growers, Inc	3.4024

[F. R. Doc. 52-217; Filed, Jan. 4, 1952; 11:41 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 2]

PART 16—AIRCRAFT RADIO EQUIPMENT AIRWORTHINESS

SPECIFICATIONS AND CHANGES REQUIRING APPROVAL BY THE ADMINISTRATOR

The following interpretations are hereby adopted. The section of the regulations being implemented is repeated here to assist the public in understanding how the Administrator's interpretations apply.

§ 16.51 *Modification.* No change shall be made in the approved specifications under which type certificated aircraft radio equipment is manufactured prior to the approval of such change by the Administrator.

§ 16.51–1 *Specifications. (CAA interpretations which apply to § 16.51).* The word "specifications" as used in § 16.51 is considered to mean drawings, drawing lists, and parts lists which define the electrical and mechanical characteristics of all components used in the prototype equipment to which a particular type certificate was issued including subsequent approved modifications to such equipment. These specifications include values of resistance, capacitance, inductance, voltage or current ratings, stability, and other factors which, if varied, might result in changed performance or reliability.

§ 16.51–2 *Changes requiring approval by the Administrator. (CAA interpretations which apply to § 16.51).* (a) At the time this part was promulgated, manufacturers of radio components were far less in number and the variety of components produced was less than we now have. Therefore, a component made by a specific manufacturer was, in many instances, the only one of its type available. Any change to another manufacturer's component meant a change from the original specifications. To a certain extent this is still applicable on many components of a special nature such as discriminators, 90 or 150 cycle filters, bridge rectifiers, certain mechanical components, and other items peculiar to a particular equipment or manufacturer. Such items can be changed only with the prior approval of the Administrator.

(b) Other components which can be replaced without changing the approved specifications, regardless of manufacturer, do not require the prior approval of the Administrator. Tubes, resistors, capacitors, chokes, tube sockets, relays, standard hardware and related components, generally fall within this category.

(c) In determining the category within which a change falls, sound judgment should be exercised by the user, and if in doubt, the question should be referred to appropriate authority. Particular caution should be observed in replacing components in VHF, ILS, VOR, and any other equipment having critical circuitry. For example, in most low, medium, or high frequency equipment, the size or physical shape of parts is often of no particular consequence, provided other pertinent characteristics remain unchanged. However, in the VHF and UHF spectrum or higher, the size or shape of components, such as a resistor, may materially affect performance, particularly in critical RF circuits. Similar examples can be quoted for other components, such as IF transformers having special selectivity characteristics. In such circuits, replacements should be physically and electrically identical; otherwise, changes should be considered as a modification, and appropriate approval obtained.

(d) In selecting replacement components which are to be used in a circuit, consideration should also be given to the reliability factor of the component selected. Normally this should cause little or no trouble. However, components procured from a new or untried source should be investigated to determine that equivalent reliability can be expected.

(e) In general, if a component can be replaced with one having the same characteristics as required by the approved specifications, prior CAA approval is not necessary. If available replacements do not possess all essential characteristics or if its specifications cannot be determined accurately, prior CAA approval should be obtained.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007; 49 U. S. C. 551)

These interpretations shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52–65; Filed, Jan. 4, 1952; 8:45 a. m.]

[Supp. 18]

PART 61—SCHEDULED AIR CARRIER RULES

AIRMAN UTILIZATION AND INSTRUMENT COMPETENCY

Proposed § 61.112–5 was published on October 13, 1951, in 16 F. R. 10491. Interested persons were afforded an opportunity to submit data, views, or arguments. Consideration has been given to all relevant matter presented. The following rules, policies and interpretations are hereby adopted.

§ 61.101–2 *Failure to complete instrument competency check (CAA interpretations which apply to §61.101).* A scheduled air carrier must not utilize as a pilot in command in scheduled air transportation any pilot who has failed to satisfactorily perform any of the requirements of the six-month instrument competency check set forth in § 61.112–5.

§ 61.112–1 *General standards (CAA policies which apply to § 61.112).* Section 61.112–5 establishes the minimum requirements for the air carriers in determining the instrument competency of a pilot in command. The air carrier may perform these requirements in any order or arrangement that will achieve complete coverage of the competency check in a minimum amount of flight time. Where first performance may be unsatisfactory, additional training thereon may be given during the check or later, and the unsatisfactory item rechecked during the check or later for satisfactory performance. The extent of this additional training will depend on the applicant's satisfactory flight proficiency demonstrated in other phases of the check which, in the opinion of the check pilot, would warrant such additional training. In addition, the air carrier should where a particular type or condition of operation prevails, add to the requirements listed in § 61.112–5.

§ 61.112–2 *Purpose of observing performance (CAA policies which apply to § 61.112).* When an agent of the Administrator is observing the performance of a six-month proficiency flight, his primary objectives will be: (a) An evaluation of the air carrier's pilot flight proficiency training program, and (b) a determination as to whether the air carrier's check pilot is requiring demonstrated performance by the pilot in command as set forth in § 61.112–5 and the air carrier's pilot flight proficiency training program. Any problem pertaining to the performance of the pilot in command during the six-month proficiency flight should be discussed only between the air carrier's check pilot and the agent of the Administrator. In the event there is a difference of opinion between the air carrier's check pilot and the agent as to methods of performing the required maneuvers, such differences of opinion should be resolved between the agent and the air carrier and should not be discussed on the flight deck during the six-month proficiency flight.

§ 61.112–3 *Aircraft used in flight check (CAA policies which apply to § 61.112).* Where a pilot in command is scheduled to fly only one type of land aircraft or one type of seaplane, he should be given his six-month competency check in that type of aircraft he is scheduled to fly.

Where a pilot in command is scheduled to fly more than one type of land aircraft and/or seaplane, his instrument competency should be checked in all types of aircraft he is scheduled to fly. However, the following exceptions will be allowed:

(a) If a pilot is scheduled to fly two-engine, three-engine, and four-engine land aircraft or any combination thereof, and/or more than one type of such aircraft, he should take his six-month competency check in one of the larger and more complicated type of aircraft; or if only one of the smaller type aircraft is available, he should take his competency check immediately due in that aircraft but his next six-month check should be accomplished in one of the larger and more complicated type of aircraft.

(b) If a pilot is scheduled to fly two-engine, three-engine, and four-engine seaplanes or any combination thereof, and/or more than one make or model of such seaplanes, he should take his six-month competency check in one of the larger and more complicated type of seaplane; or if only one of the smaller type of seaplane is available, he should take

his six-month competency check immediately due in that seaplane but his next six-month check should be made in one of the larger and more complicated type of seaplane.

(c) If a pilot is scheduled to fly both land aircraft and seaplanes, his six-month competency check should include a demonstration of competency in both land aircraft and seaplane in accordance with paragraphs (a) and (b) of this section.

§ 61.112–4 *Flight simulator (CAA policies which apply to § 61.112).* An air carrier using a flight simulator in its pilot's training program may be approved to utilize such a device for certain maneuvers in conducting six-month instrument competency checks provided that (a) the training device accurately simulates the flight characteristics and the performance of the applicable aircraft through all ranges of normal and emergency operation, (b) the maneuvers to be conducted in the simulator other than those specifically authorized in § 61.112–5 (l), (m), (n), (o), (p), and (q), are submitted to the Washington Office for approval by the region in which the headquarters of the air carrier is located, and (c) certain critical maneuvers which demonstrate the instrument proficiency of a pilot are executed in an aircraft of the type flown by the pilot in air carrier service. The proficiency flight in the aircraft should include at least maneuvers (minimum speed), approach procedures, handling under regular approach conditions, and take-off and landings, with engine failures as outlined in § 61.112–5 (g), (q), (u), and (v), respectively.

§ 61.112–5 *Proficiency requirements (CAA rules which apply to § 61.112).* The following proficiency tests are required by the Administrator to determine the instrument competency of the pilot in command:

(a) *Equipment examination (oral or written).* The equipment examination shall be pertinent to the type of aircraft to be flown by the pilot in command and may be given (1) in the air carrier's ground school, (2) during a routine line check under the supervision of an authorized company check pilot, or (3) during the six-month competency check.

The examination shall at least contain questions relative to engine power settings, airplane placard speeds, critical engine failure speeds, control systems, fuel and lubrication systems, propeller and supercharger operations, hydraulic systems, electric systems, anti-icing, heating and ventilating, and pressurization system (if pressurized). A record shall be maintained in the pilot's file which will indicate the date, condition under which equipment examination was given, and grade received.

(b) *Taxiing, sailing, or docking.* Attention shall be directed to the manner in which the pilot in command conducts taxiing, sailing, or docking with reference to the taxi instruction as issued by airport traffic control or other traffic control agency, any taxi instruction which may be published in the air carrier's operations manual, and general regard for the safety of the air carrier's equipment and other equipment which may be affected by taxiing, sailing, or docking operation.

(c) *Run-up.* Attention to detail in the use of cockpit check list and cockpit procedure shall be observed on all six-month proficiency flights.

(d) *Take-off.* For those air carriers authorized take-off minimums of 200½, the pilot being examined shall whenever practicable execute a take-off solely by reference to instruments, or at the option of the check pilot, a contact take-off may be made following which instrument conditions shall be simulated at or before reaching 100 feet with the subsequent climb conducted solely by reference to instruments. The check pilot shall observe the pilot's ability to maintain a constant heading during the take-off run, his proficiency in handling power, flap and gear operation during the critical period between take-off (off ground) and reaching five hundred feet. Should it become necessary for the check pilot to give assistance after becoming airborne, the maneuver shall be considered as unsatisfactory.

(e) *Climbs and climbing turns.* Climbs and climbing turns shall be performed in accordance with the airspeeds and power settings as prescribed by the air carrier or those set forth in the "Airplane Flight Manual." The use of proper climb speeds and designated rates of climb shall be considered in determining the satisfactory performance of this phase of the proficiency flight.

(f) *Steep turns.* Steep turns shall consist of at least forty-five degrees of bank. The turns shall be at least 180° of duration, but need not be more than 360°. Smooth control application, and ability to maneuver aircraft within prescribed limits, shall be the primary basis for judging performance. When information is available on the relation of increase of stall speeds vs. increase in angle of bank, such information shall be reviewed and discussed. As a guide, the tolerances of 100 feet plus or minus a given altitude shall be considered as acceptable deviation in the performance of steep turns. Consideration may be given to factors other than pilot proficiency which might make compliance with the above tolerances impractical.

(g) *Maneuvers (minimum speeds).* Maneuvers at minimum speed shall be accomplished while using the prescribed flap settings as set forth in the Airplane Flight Manual. In addition, attention shall be directed to airplane performance as related to use of flaps vs. clean configuration while operating at minimum speeds. Attention shall be directed towards the pilot's ability to recognize and hold minimum controllable airspeed, to maintain altitude and heading, and to avoid unintentional approaches to stalls.

(h) *Approach to stalls.* Approach to stalls shall be demonstrated from straight flight and turns, with and without power. An approach to stalls shall be executed in landing or approach configuration. The extent to which the approach to stall will be carried and the method of recovery utilized shall be dictated by (1) the type of aircraft being flown, (2) its reaction to stall conditions, and (3) the limitation established by the air carrier. Performance shall be judged on ability to recognize the approaching stall, prompt action in initiating recovery, and prompt execution of proper recovery procedure for the particular make and model of aircraft involved.

(i) *Propeller feathering.* Propeller feathering shall be performed. Such propeller feathering shall be accomplished in accordance with instructions set forth by the air carrier and be exercised at sufficient altitude to insure adequate safety for the performance of the operation. The pilot's ability to maintain altitude, directional control, and satisfactory airspeed shall be the prerequisites in accomplishing the maneuver. The manner in which the pilot manages his cockpit during propeller feathering shall also be noted.

(j) *Maneuvers (one or more engines out).* When performing maneuvers (one or more engines out) the aircraft shall be maneuvered with a loss of fifty percent of its power units, such loss to be concentrated on one side of the aircraft. The loss of these power units may be simulated either by retarding throttles or by following approved feathering procedures. The pilot in command shall be required to maintain headings and altitude and to make moderate turns both toward and away from the dead engine or engines. Proficiency shall be judged on the basis of the pilot's ability to maintain engine-out airspeed, heading and altitude; to trim the airplane; and to adjust necessary power settings.

(k) *Rapid descent and pull-out.* This maneuver shall consist of the following steps: While the aircraft is under the normal approach configuration and being flown at a predetermined altitude, it will be assumed that the aircraft has arrived at a navigational fix and is cleared to descend immediately to a lower altitude. (The lower altitude shall be one which permits a descent of at least 1,000 feet.) Upon reaching the lower altitude, the aircraft shall be recovered from the rapid descent and flown on a predetermined heading and altitude for a predetermined period of time. At the end of the time interval, an emergency pull-out shall be executed which will involve a change of direction of at least 180°. Performance shall be judged on the basis of ability to establish a rapid descent at constant airspeed, stopping the descent at the minimum altitude specified without going below it, holding heading and altitude, and smooth pull-up and climb.

(l) *Ability to tune radio.*[1]

(m) *Orientation.*[1]

(n) *Beam bracketing.*[1]

(o) *Cone identification.*[1]

(p) *Loop orientation.*[1]

[1] Paragraphs (l), (m), (n), (o), and (p) of this section shall be accomplished in a satisfactory manner either during (1) a routine line check under the supervision of an authorized company check pilot, (2) in a simulated or synthetic trainer, or (3) during the six-month proficiency flight. A record shall be maintained in the pilot's file which shall indicate the date, method utilized, and grade received in the performance of these items.

(q) *Approach procedures.* An approach procedure shall be made in the aircraft on the let-down aid for which the lowest minimums on a system-wide basis are authorized and include, where possible, holding patterns and air traffic control instructions which might be used by the pilot in day-to-day operations. If at the time of six-month proficiency flight the let-down aid affording the lowest minimums is not in operation at the point the check is given, the landing aid which affords the next lowest minimums on a system-wide basis shall be used. Where a particular air carrier is authorized landing minimums based on instrument landing systems and ground control approach, the predominate landing aid on a system-wide basis shall be utilized. In some cases a particular air carrier may be authorized its lowest landing minimums on a let-down aid which is not installed and operating at locations where the air carrier's pilots are based. It shall be the responsibility of the air carrier in this case to conduct six-month proficiency flights at locations where such an aid is installed and operating. All other approaches which a particular operator may be authorized to use, such as, ADF, LF/MR range, VOR, and VAR shall be made and may be conducted in a simulator or other approved type trainer. A record shall be maintained in the pilot's file which will indicate the date that these approaches were performed and the grade received. If these approaches (ADF, LF/MR range, VOR, and VAR) are not performed in a simulator or other approved type trainer, they shall be accomplished on the six-month proficiency flight.

(r) *Missed approach procedures.* (See paragraph (s) of this section.)

(s) *Traffic control procedures.* Missed approach procedures and traffic control procedures shall be accomplished in a manner satisfactory to the authorized check pilot. The degree of satisfactory or unsatisfactory performance shall be predicated on the pilot's ability to (1) maneuver the aircraft while performing these procedures, (2) follow instructions either verbal or written which may be pertinent to the accomplishment of these procedures. Paragraph (r) of this section and this paragraph may be accomplished while performing paragraph (q) of this section.

(t) *Cross-wind landing.* A cross-wind landing shall be performed when practicable. Traffic conditions and wind velocities will dictate as to whether a cross-wind landing is practicable. Performance shall be judged on the technique used in correcting for drift on final approach, judgment in the use of flaps, and directional control during roll-out.

(u) *Landing under regular approach conditions.* Landing under regular approach conditions shall necessitate a path of flight around the landing area which will require not more than a 180° turn but not less than a 90° turn. The pilot shall be judged on the basis of altitude and airspeed control and his ability to maneuver under the minimum ceiling and visibility conditions prescribed.

(v) *Take-offs and landings (with engine(s) failures).* If it is consistent with safety, traffic patterns, local rules and laws, a simulated engine failure shall be experienced during take-off. The simulated failure shall occur at any time after the aircraft has passed the V_1 speed pertinent to the particular take-off and when practicable before reaching 300 feet. When performing the landing, the aircraft shall be maneuvered to a landing while utilizing 50 percent of the available power units. The simulated loss of power shall be concentrated on one side of the aircraft. The pilot's ability to satisfactorily perform this maneuver shall be evaluated in the manner stated under paragraph (i) of this section.

(w) *Judgment.* The pilot shall demonstrate judgment commensurate with experience required of a pilot in command of air carrier aircraft.

(x) *Emergency procedures.* The emergency procedures shall be applicable to the type of aircraft being flown and in accordance with the emergency procedures prescribed by the air carrier.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies secs. 601, 604, 52 Stat. 1007, 1010, 49 U. S. C. 551, 554)

These rules, policies and interpretations shall become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-66; Filed, Jan. 4, 1952; 8:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52896]

PART 56—EXTENSIONS OF TIME PURSUANT TO PROCLAMATION OF THE PRESIDENT UNDER SECTION 318, TARIFF ACT OF 1930

MERCHANDISE IN GENERAL ORDER AND BONDED WAREHOUSE

Extensions of 1-year period for merchandise in general order and 3-year period for merchandise in bonded warehouse authorized.

Acting under the authority of section 318, Tariff Act of 1930, the President, on October 12, 1951, issued Proclamation No. 2948 authorizing the Secretary of the Treasury, under certain conditions, and until the termination of the national emergency proclaimed on December 16, 1950, or until it shall be determined by the President and declared by his proclamation that such action is no longer necessary, whichever is earlier, (1) to extend the 1-year period prescribed in section 491, Tariff Act of 1930, as amended, and the 3-year period prescribed in sections 557 and 559, Tariff Act of 1930, as amended, for not more than 1 year each in cases in which such period has already expired or shall hereafter expire during the continuance of the said national emergency, and (2) to extend further such 1-year and 3-year periods for additional periods of not more than 1 year each from and after the expiration of the immediately preceding extension in any case in which such extension shall expire during the continuance of the said national emergency. The proclamation contains the proviso, among others, that the extensions of 1 year authorized by the proclamation shall not apply to any case in which the period sought to be extended expired prior to December 16, 1950, or in which the merchandise in question has been sold by the Government as abandoned. The proclamation supersedes Proclamation No. 2599 of November 4, 1943, as amended by Proclamation No. 2712 of December 3, 1946, providing for similar extensions. Proclamation No. 2948 was published in the FEDERAL REGISTER, issue of October 17, 1951 (16 F. R. 10589).

In view of the issuance of Proclamation No. 2948, Part 56 of Title 19, Chapter I, of the Code of Federal Regulations (T. D. 50967, as amended by T. D.'s 51031, 51426, and 51620), is amended to read as follows:

MERCHANDISE IN GENERAL ORDER AND BONDED WAREHOUSES

Sec.
56.1 Periods of time prescribed in sections 491, 557, and 559, Tariff Act of 1930, as amended, extended; conditions.
56.2 Merchandise in general order.
56.3 Extension of bonds.

AUTHORITY: §§ 56.1 to 56.3 issued under sec. 624, 46 Stat. 759; 19 U. S. C. 1624. Interpret or apply sec. 318, 46 Stat. 690; 19 U. S. C. 1318. Proc. 2948, Oct. 12, 1951, 16 F. R. 10589.

§ 56.1 *Periods of time prescribed in sections 491, 557, and 559, Tariff Act of 1930, as amended, extended; conditions.* (a) Pursuant to authority contained in Proclamation No. 2948, issued by the President on October 12, 1951, the 1-year period prescribed in section 491, Tariff Act of 1930, as amended, or the 3-year period prescribed in sections 557 and 559 of the said act, as amended, as the case may be, or any extension or further extension thereof heretofore granted under the authority of Proclamation No. 2599 of November 11, 1943, as amended by Proclamation No. 2712 of December 3, 1946, is hereby extended for 1 year in each case wherein such 1-year or 3-year period or any such previous extension thereof has expired on or after December 16, 1950, or shall have expired hereafter and during the continuance of the national emergency proclaimed on December 16, 1950, and wherein the collector of customs concerned shall have been furnished with

(1) If the merchandise is in general order, the written application of the consignee for extension and any evidence of identity required by § 56.2 (c); or

(2) If the merchandise is charged against an entry bond, the agreement of the principal and the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, or a new bond with acceptable sureties to include the period of extension; or

(3) If the merchandise is charged against a carrier's bond, the agreement of the principal and the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted; and

(4) If the merchandise is in general order or charged against an entry bond, the certificate of the proprietor of the warehouse in which the merchandise is stored consenting to the extension, or certifying that all charges or amounts due or owing to the proprietor for the storage or handling of the merchandise up to the date of the beginning of the 1-year period of extension requested have been paid.

(b) Pursuant to the same authority and subject to the same conditions, such 1-year or 3-year period, as the case may be, is hereby extended for an additional period of 1 year each from and after the expiration of the immediately preceding extension if such expiration occurs during the continuance of the aforesaid national emergency.

§ 56.2 *Merchandise in general order.* (a) Applications for extension or further extension of the 1-year period prescribed in section 491, Tariff Act of 1930, as amended, shall be made in each case by the consignee, in writing, and in substantially the following form, and shall be submitted, in duplicate, to the collector of customs at the port where the merchandise is stored:

_____, 19____
(Date)

THE COLLECTOR OF CUSTOMS
_____

SIR: In accordance with the provisions of Treasury Decision No. 52896, of December 28, 1951, application is hereby made for an extension (or further extension) of the 1-year period prescribed in section 491, Tariff Act of 1930, as amended, for 1 year in the case of the merchandise described below:

Quantity and description of the merchandise: _____
Name of port where imported: _____
Date of importation: _____
Present location of merchandise: _____
_____
(Address of warehouse where the merchandise is stored)
Additional information: _____
_____
_____
_____
_____
(Here state whether any previous extension has been allowed or application made for such extension and, if so, the details thereof)

_____
(Name of consignee)
By _____
(Name and title)

The undersigned hereby consents to the granting of the 1-year extension requested herein, or

The undersigned hereby certifies that all charges or amounts due or owing to the undersigned for storage or handling of the merchandise described above up to the date of the beginning of the 1-year period of extension requested herein have been paid.

_____
(Date)

_____
(Warehouse proprietor)
By _____
(Name and title)

(b) If the merchandise concerned is stored in the public store, all charges or amounts due or owing to the Government for the storage or handling of the merchandise up to the date of the beginning of the 1-year period of extension requested shall be paid as a condition precedent to the granting of the extension.

(c) In connection with each application for extension, there shall be furnished, as evidence that the applicant is the consignee, the bill of lading or a duplicate thereof or a carrier's certificate covering the merchandise, but it will not be necessary that such evidence be furnished in connection with applications for any subsequent extensions when made by the same applicant.

(d) If the application is approved by the collector, he shall endorse the fact and date of his approval on both copies of the application, retain the original as his record of the transaction, and return the duplicate to the consignee for his records. If the application is disapproved by the collector, he shall retain both copies of the application on file in his office and advise the applicant in writing as to the reasons for his disapproval.

§ 56.3 *Extension of bonds.* (a) In each case in which the merchandise remains charged against a carrier's bond, customs Form 3587, and an extension or further extension of the 1-year period prescribed in section 491, Tariff Act of 1930, as amended, is desired, there shall be furnished to the collector of customs at the port where the charge against the bond was made the agreement of the principal and sureties on such bonds in the following form:

EXTENSION OF CARRIER'S BOND

Whereas, in Treasury Decision No. 52896, of December 28, 1951, issued pursuant to authority contained in the President's Proclamation No. 2948, dated October 12, 1951, the 1-year period prescribed in section 491, Tariff Act of 1930, as amended, was extended for 1 year and further extended for additional periods of 1 year each from and after the expiration of the immediately preceding extension, provided, among other things, that in each case in which the merchandise remains charged against a carrier's bond the principal on such bond shall agree to the extension and shall furnish the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, and

Whereas, the carrier's bond described below was furnished in connection with the entry for transportation in bond indicated, and it is now desired to extend the liability under such bond for a period of 1 year from the date of maturity of the bond:[1]

Name of carrier: _____
Date of bond: _____
Date of approval: _____
Class and number of transportation in bond entry: _____
Dated: _____
Port where charge against bond was made: _____
Description of merchandise: _____
Date of importation: _____

[1] Here insert the words "as extended" if a previous extension has been allowed.

Now, Therefore, This is to certify that _____, principal, and _____ and _____, sureties on the carrier's bond referred to above, hereby stipulate and agree that their liability under said bond[1] shall continue unchanged and in full force and effect to the same extent as if no extension had been granted for a period of 1 year from the date of maturity of the bond.[1]

Witness our hands and seals this _____ day of _____, 19_____

Signed, sealed and delivered in the presence of—

	(Name)	(Address)
	(Name)	(Address)
[SEAL]	(Principal)	
	(Name)	(Address)
	(Name)	(Address)
[SEAL]	(Surety)	
	(Name)	(Address)
	(Name)	(Address)
[SEAL]	(Surety)	

(b) In each case in which the merchandise is covered by a warehouse entry bond on customs Form 7555, and an extension or further extension of the 3-year period prescribed in sections 557 and 559, Tariff Act of 1930, as amended, is desired, the principal on the bond, in order to obtain the benefit of such extension, shall furnish to the collector of customs at the port where the bond is on file an agreement in the following form:

EXTENSION OF WAREHOUSE ENTRY BOND

Whereas, in Treasury Decision No. 52896, of December 28, 1951, issued pursuant to authority contained in the President's Proclamation No. 2948, dated October 12, 1951, the 3-year warehousing period for imported merchandise prescribed in sections 557 and 559, Tariff Act of 1930, as amended, was extended for 1 year and further extended for additional periods of 1 year each from and after the expiration of the immediately preceding extension, provided, among other things, that in each case the principal on the entry bond shall furnish the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, and

Whereas, the warehouse entry bond described below was furnished in connection with the warehouse entry indicated, and it is now desired to extend the liability under such bond for a period of 1 year from the date of maturity of the bond:[1]

Port of _____
Bond No. _____ dated _____
Warehouse entry No. _____
Description of merchandise _____
Date of importation _____,

Now, Therefore, This is to certify that ____ _____, principal, and _____ _____, and _____, sureties, on the warehouse entry bond referred to above, hereby stipulate and agree that their liability under said bond[1] shall continue unchanged and in full force and effect to the same extent as if no extension had been granted for a period of 1 year from the date of maturity of the bond[1].

Witness our hands and seals this _____ day of _____, 19___

Signed, sealed, and delivered in the presence of—

_____ (Name) _____ (Address)
[SEAL] _____ (Principal)
_____ (Name) _____ (address)
By _____ (Name and official title)
_____ (Name) _____ (Address)
[SEAL] _____ (Surety)
_____ (Name) _____ (address)
By _____ (Name and official title)
_____ (Name) _____ (Address)
[SEAL] _____ (Surety)
_____ (Name) _____ (address)
By _____ (Name and official title)

(c) If the principal on a warehouse entry bond desires to furnish a new bond to include the period of extension or further extension in lieu of furnishing an agreement in the form prescribed in paragraph (b) of this section, the new bond shall be furnished on customs Form 7555 but with the words "3 years" appearing in conditions (1) and (2) of the form changed to read "4 years" or "5 years," and so forth, as the case may require.

(d) In cases in which the merchandise concerned was entered for warehouse and charged against a General Term Bond for Entry of Merchandise, customs Form 7595, or against a Blanket Smelting and Refining Bond in the form prescribed in Treasury Decision 50267, as modified by Treasury Decision 52403, the agreement of the principal and sureties on the bond shall be furnished to the collector of customs in the following form and forwarded by the collector to the Bureau of Customs for approval:

EXTENSION OF GENERAL TERM BOND FOR ENTRY OF MERCHANDISE [1]

Whereas, in Treasury Decision No. 52896, of December 28, 1951, issued pursuant to authority contained in the President's Proclamation No. 2948, dated October 12, 1951, the 3-year warehousing period for imported merchandise prescribed in sections 557 and 559, Tariff Act of 1930, as amended, was extended for 1 year and further extended for additional periods of 1 year each from and after the expiration of the immediately preceding extension, provided, among other things, that in each case the principal on the entry bond shall furnish the agreement of the sureties on the bond to remain bound under the terms and conditions of the bond to the same extent as if no extension had been granted, and

Whereas, the bond described below was furnished by _____ (Name of principal on the bond), and accepted by the Government of the United States to cover, among other things, the entry of imported merchandise for warehouse or rewarehouse at the port(s) of _____, during the period beginning on _____, 19____, and ending on _____, 19____,[2]

General Term Bond for Entry of Merchandise [1] in the sum of _____, executed by _____, as principal, and _____ and _____, as sureties, under date of _____, 19____, and approved by the Bureau of Customs under date of _____, 19____; and

Whereas, certain imported merchandise was entered for warehouse or rewarehouse at the ports and under the entries indicated below and such entries were charged against the bond described above:

Name of port	Entry No.	Date of Entry
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

and

Whereas, _____ (Name of principal on bond) desires, as to such merchandise, to obtain an extension of the period during which it may remain in warehouse for 1 year from and after the expiration of the 3-year period prescribed in sections 557 and 559, Tariff Act of 1930, as amended, or to obtain a further extension for an additional period of 1 year from and after the expiration of any immediately preceding extension which may have been granted, and to continue the liability therefor under the bond for such 3-year period and to extend the liability under the bond to cover such extension or further extension of 1 year.

Now, Therefore, This is to certify that _____, principal, and _____, and _____, sureties, on the bond described above, hereby stipulate and agree that, in consideration of the granting of an extension or further extension of 1 year of the 3-year period during which the merchandise may remain in warehouse, their liability under the bond as to such merchandise shall cover such 1-year extension or further extension, together with the original 3-year period.

Witness our hands and seals this _____ day of _____, 19____.

Signed, sealed and delivered in the presence of—

_____ (Name) _____ (Address)
[SEAL] _____ (Principal)
_____ (Name) _____ (Address)
By _____ (Name and official title)
_____ (Name) _____ (Address)
[SEAL] _____ (Surety)
_____ (Name) _____ (Address)
By _____ (Name and official title)
_____ (Name) _____ (Address)
[SEAL] _____ (Surety)
_____ (Name) _____ (Address)
By _____ (Name and official title)

A sufficient number of copies of this agreement shall be furnished to permit retention of the original in the Bureau and the filing of one copy at each of the ports where the entries involved were filed.

(e) There shall also be furnished with either of the agreements or the new bond required in paragraphs (b), (c), and (d) of this section a statement of the proprietor of the warehouse in which the merchandise concerned is stored, consenting to the extension or further extension covered by the agreement or new bond, or certifying that all charges or amounts due or owing to the proprietor for storage or handling of the merchandise concerned up to the date of the beginning of the 1-year period of extension or further extension covered by the agreement or new bond have been paid. Such statements shall not be required in cases in which the principal on the agreement or new bond is the proprietor of the warehouse in which the merchandise is stored.

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: December 28, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 52-108; Filed, Jan. 4, 1952; 8:55 a. m.]

[1] Substitute the words "Blanket Smelting and Refining Bond" if the merchandise was charged against such a bond.

[2] If the merchandise was charged against a Blanket Smelting and Refining Bond, delete the words "during the period beginning on _____, 19____, and ending on _____, 19____," and substitute therefor the words "on and after _____, 19____".

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., 141) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR, 1950 Supp., 146; 16 F. R. 2471, 3647) are amended as indicated below:

1. Part 141 is amended by adding the following new section:

§ 141.50 *Penicillin-streptomycin dental cones, penicillin-dihydrostreptomycin dental cones*—(a) *Potency*—(1) *Penicillin content.* Proceed as directed in § 141.9 (a). Its content of penicillin is satisfactory if it contains not less than 85 percent of the number of units that it is represented to contain.

(2) *Steptomycin content.* Proceed as directed in § 141.36 (a) (2). Its content of streptomycin is satisfactory if it contains not less than 85 percent of the number of milligrams that it is represented to contain.

(3) *Dihydrostreptomycin content.* Proceed as directed in § 141.36 (a) (3). Its content of dihydrostreptomycin is

satisfactory if it contains not less than 85 percent of the number of milligrams it is represented to contain.

(b) *Moisture.* Proceed as directed in § 141.5 (a).

2. In § 146.26 *Penicillin ointment (calcium penicillin ointment, crystalline penicillin ointment, procaine penicillin ointment)*, subparagraph (1) (iii) of paragraph (c) *Labeling,* is amended by inserting the words "or 24" between the figure "18" and the words "months after".

3. In § 146.27 *Penicillin tablets,* the second clause of subparagraph (1) (vi) of paragraph (c) *Labeling,* is amended by inserting the words ", procaine penicillin," between the words "crystalline penicillin" and "or crystalline penicillin O"; and by deleting the third clause, which reads: "or if procaine penicillin is used with the date which is 18 months".

4. Section 146.104 *Streptomycin tablets, dihydrostreptomycin tablets,* is amended as follows:

a. In paragraph (a) *Standards of identity etc.,* the first sentence is changed to read: "Streptomycin tablets and dihydrostreptomycin tablets is streptomycin or dihydrostreptomycin tableted with or without glucuronolactone, kaolin, pectin, and dried aluminum hydroxide gel, and with or without the addition of one or more suitable and harmless diluents, binders, lubricants, colorings, and flavorings."

b. In paragraph (c) *Labeling,* subparagraph (1) (iv) is changed to read:

(iv) If the batch contains, in addition to streptomycin or dihydrostreptomycin, one or more of the other active ingredients specified in paragraph (a) of this section, the name and quantity of each such other ingredient in each tablet.

c. Paragraph (c) (3) is changed to read:

(3) On the label and labeling, if it contains, in addition to streptomycin or dihydrostreptomycin, one or more of the other active ingredients specified in paragraph (a) of this section, after the name "Streptomycin Tablets" or "Dihydrostreptomycin Tablets," wherever it appears, the words "with _____ (the blank being filled in with the common or usual name of each such other ingredient)", in juxtaposition with such name.

5. Part 146 is amended by adding the following new section:

§ 146.71 *Penicillin-streptomycin dental cones, penicillin-dihydrostreptomycin dental cones.* (a) Penicillin-streptomycin dental cones and penicillin-dihydrostreptomycin dental cones conform to all requirements prescribed by § 146.31 for penicillin dental cones and are subject to all procedures prescribed by that section for penicillin dental cones, except that:

(1) Each cone contains not less than 75 milligrams of streptomycin or dihydrostreptomycin. The streptomycin used conforms to the standards prescribed by § 146.101 (a), except subparagraphs (2), (4), and (5) of that paragraph. The dihydrostreptomycin used conforms to the standards prescribed by § 146.103, except the standards for sterility, pyrogens, and histamine.

(2) Its moisture content is not more than 3 percent.

(3) In lieu of the labeling prescribed for penicillin dental cones by § 146.31 (c) (1) (ii), each package shall bear on the outside wrapper or container and the immediate container the number of units of penicillin and the number of milligrams of streptomycin or dihydrostreptomycin in each cone of the batch.

(4) In addition to complying with the requirements of § 146.31 (d), the person who requests certification of a batch of penicillin-streptomycin dental cones or penicillin-dihydrostreptomycin dental cones shall submit with his request a statement showing the batch mark and (unless it was previously submitted) the results and the date of the latest tests and assays of the streptomycin or dihydrostreptomycin used in making the batch for potency, toxicity, moisture, pH, streptomycin content if it is dihydrostreptomycin and crystallinity if it is crystalline dihydrostreptomycin, and the number of units of penicillin and the number of milligrams of streptomycin or dihydrostreptomycin in each cone of the batch. He shall also submit in connection with his request a sample consisting of not less than 30 cones and (unless it was previously submitted) a sample consisting of 5 packages containing approximately equal portions of not less than 0.5 gram each of the streptomycin or dihydrostreptomycin used in making the batch, packaged in accordance with the requirements of § 146.101 (b).

(b) The fee for the services rendered with respect to each immediate container in the sample of streptomycin or dihydrostreptomycin submitted in accordance with the requirements prescribed by this section shall be $4.00.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup. 357).

This order, which provides for tests and methods of assay and certification of two new antibiotic preparations, penicillin-streptomycin dental cones and penicillin-dihydrostreptomycin dental cones, for the use of an expiration date of 24 months for penicillin ointment when the manufacturer has proved his drug to be stable for such period of time, for a change in the expiration date of procaine penicillin tablets from 18 to 24 months, and for the optional use of kaolin, pectin, and dried aluminum hydroxide gel as ingredients of streptomycin tablets and dihydrostreptomycin tablets, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industries, and since it would be against public interest to delay providing for said amendments.

Dated: December 29, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 52-86; Filed, Jan. 4, 1952; 8:52 a. m.]

TITLE 22—FOREIGN RELATIONS

[Dept. Reg. 103.145]

Chapter I—Department of State

Subchapter A—The Department

Subchapter B—The Foreign Service

PART 102—PROTOCOL

PART 104—GENERAL ADMINISTRATIVE SERVICES

PART 105—PERSONNEL

PART 108—IMMIGRATION CONTROL

PART 113—TRANSPORTATION CONTROLS

MISCELLANEOUS AMENDMENTS

Chapter I, Title 22 of the Code of Federal Regulations, is amended as follows under authority of section 302, 60 Stat. 1001 (22 U. S. C. 842):

1. The heads "Subchapter A—The Department," and "Subchapter B—The Foreign Service" are deleted from 22 CFR Chapter I. These heads no longer reflect a proper division of the regulations appearing thereunder.

2. Part 102, "Protocol", is cancelled. The regulations thereunder have been superseded by new regulations, the publication of which is not required by law or by regulations prescribed under authority of law.

3. Part 104, "General Administrative Services", is cancelled. The regulation in this part has been superseded by regulations issued under authority of section 302, 60 Stat. 1001 (22 U. S. C. 842). Publication of the new regulations is not required by law or by regulations prescribed under authority of law.

4. Section 105.1 *Bonding* and § 105.4 *Retired foreign service personnel* are cancelled. These regulations have been superseded by new regulations, the publication of which is not required by law or by regulations prescribed under authority of law.

5. Part 108, "Immigration Control" is cancelled. The regulations thereunder were superseded by 22 CFR Parts 40, 42, 43, 44, 45 and 53.

6. Section 113.14, *Quarantine laws and regulations,* is cancelled. This regulation is obsolete as a result of the passage of legislation repealing the legislation referred to in 22 CFR 113.14.

These amendments shall become effective upon the date of their publication in the FEDERAL REGISTER.

CARLISLE H. HUMELSINE,
Deputy Under Secretary of State for Administration.

[F. R. Doc. 52-87; Filed, Jan. 4, 1952; 8:52 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[1952 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

QUARTER BEGINNING JANUARY 1, 1952

JANUARY 1, 1952.

§ 129.15 *Calendar year, 1952.* * * *

(a) *Quarter beginning January 1, 1952.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning January 1, 1952, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

[The value of foreign monetary units, as shown below in terms of United States money, is the ratio between the legal gold content of the foreign unit and the legal gold content of the United States dollar. It should be noted that this value, with respect to most countries, varies widely from the present exchange rates. Countries not having a legally defined gold monetary unit, or those for which current information is not available, are omitted]

Country	Monetary unit	Value in terms of U. S. money	REMARKS
Cannda	Dollar	$1.6931	Redemption of notes into gold suspended. Export of gold prohibited except under license.
Colombia	Peso	.5128	Monetary Law No. 90 of Dec. 16, 1948, effective Dec. 18, 1948, content of peso 0.50637 gram of gold 9/10 fine. Obligation to sell gold suspended Sept. 24, 1931.
Costa Rica	Colon	.1781	Parity of 0.153267 fine gram gold established by decree law effective Mar. 22, 1947.
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic	Peso	1.0000	By Monetary Law No. 1528 effective Oct. 9, 1947, gold content of peso equal to 0.888671 gram fine.
Ethiopia	Dollar	.4025	New unit established by Proclamation of the Emperor on May 25, 1945, effective July 23, 1945.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
Guatemala	Quetzal	1.0000	Decree No. 203 of Dec. 10, 1945, defined the monetary unit as 15 5/21 grains of gold 9/10 fine. Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Hungary	Forint	.0852	New unit based on 13,210 forint per kilogram fine gold, effective July 1946.
Ireland	Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932; exchange control established Jan. 23, 1945.
Philippines	Peso	.5000	International value according to the Central Bank Act approved June 15, 1948. Exchange control established.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Union of Soviet Socialist Republics.	Ruble	.2500	By decree of Council of Ministers ruble equal to 0.222168 fine gram gold, effective Mar. 1, 1950.
Uruguay	Peso	.6583	Present gold content of 0.585018 grams fine established by law of Jan. 18, 1938. Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.

(Sec. 522, 46 Stat. 739; 31 U. S. C. 372)

[SEAL]

E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 52-109; Filed, Jan. 4, 1952; 8:55 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 39]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

USE OF PREVIOUS CEILING PRICE AFTER EFFECTIVE DATE OF CPR 22 IN CERTAIN CASES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling prices for commodities which cannot be determined under other sections of Ceiling Price Regulation 22 are established by letter order of the Director of Price Stabilization pursuant to section 34. This section also provides that if a manufacturer has established a ceiling price under section 3 or 7 of the General Ceiling Price Regulation, he may continue to use that price until a ceiling price is established in accordance with section 34.

This amendment to section 34 permits the use of a ceiling price previously determined under any regulation, not merely under section 3 or 7 of GCPR, until a ceiling price is established under section 34 for the commodity.

This amendment also permits a manufacturer who has established a ceiling price by letter order under section 7 of GCPR to continue to use that price without making it mandatory for him to apply for a price under section 34 of CPR 22. Since the reporting requirements and considerations entering into determination of a price are substantially the same under section 7, GCPR, as under section 34, CPR 22, it is considered unnecessary to require a manufacturer to reapply for a price under section 34. Sufficient information will generally be available to the Office of Price Stabilization to determine the "in lineness" of the price under CPR 22.

However, if a manufacturer has established a ceiling price other than under section 7 of GCPR, he may not continue to use that price without making application under section 34 inasmuch as the ceiling price and the basis for its determination may not be a matter of record.

In view of the nature of this amendment, the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of industry.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22, as amended, is further amended in the following respects:

1. The last sentence of section 34 (a) is amended to read: "You may not sell the commodity until the Director of Price Stabilization notifies you, in writing, of your ceiling prices, except as permitted in paragraphs (b) or (c)."

2. Section 34 (b) is amended to read:

(b) If the commodity is required to be priced under this section and prior to the effective date of this regulation, its ceiling price was determined under any other regulation, you may, after making the application prescribed in paragraph (a) of this section, continue to use that ceiling price until notified in writing by the Director of Price Stabilization of your ceiling price under this section.

3. Section 34 (c) is amended to read:

(c) If the commodity is required to be priced under this section and prior to the effective date of this regulation, its ceiling price was established under section 7 of the General Ceiling Price Regulation by letter order of the Director of Price Stabilization, you may continue to use that ceiling price unless and until otherwise directed by the Director of Price Stabilization and you are not required to make the application prescribed in paragraph (a).

4. Section 34 (d) is deleted.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective January 4, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 4, 1952.

[F. R. Doc. 52-220; Filed, Jan. 4, 1952; 11:54 a. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 15, Revision 1]

CPR 22—Manufacturer's General Ceiling Price Regulation

SR 15—Sterile canned meat and dry sausage

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Congress), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738), this Supplementary Regulation 15, Revision 1, to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 15 to Ceiling Price Regulation 22, issued July 30, 1951, provided for a new method for determining materials cost adjustments under Ceiling Price Regulation 22 for manufacturers of sterile canned meat and dry sausage. It also provided for a base period different from that established by Ceiling Price Regulation 22. The mandatory filing date for manufacturers of sterile canned meat and dry sausage was extended to December 17, 1951, by Amendments 1 and 2 to Supplementary Regulation 15, in order to permit the Office of Price Stabilization to study further the probable effects of the substantive changes contained in that regulation and so as to give the industry an opportunity to make known its reaction to these changes.

As a result of this further study and of consultation with representatives of the industry, the Director of Price Stabilization has concluded that the method provided in Supplementary Regulation 15 is not appropriate. Accordingly, this Supplementary Regulation 15, Revision 1, revokes the changes made heretofore with respect to these commodities and once again makes applicable to manufacturers of sterile canned meat and dry sausage the provisions and requirements of Ceiling Price Regulation 22. However, in order to permit the industry affected to complete its filing without undue hardship, the mandatory filing date under Ceiling Price Regulation 22 is extended by this revised Supplementary Regulation 15, insofar as sterile canned meat and dry sausage are concerned, until January 31, 1952.

The Office of Price Stabilization will continue to study the problem of establishing appropriate ceiling prices for these items and, based upon data now available and to be received hereafter in the form of filings under Ceiling Price Regulation 22 and other cost and price data, will endeavor to establish specific ceiling prices for these commodities. In the meantime, the provisions of Ceiling Price Regulation 22 are believed to be adequate for the purpose of insuring price stability in this particular industry, while at the same time imposing no more of a burden upon the trade than is necessary for the purposes of the economic stabilization program.

Manufacturers of sterile canned meat and dry sausage will not be authorized to make alternative or supplemental filings under Supplementary Regulations 17 or 18 to Ceiling Price Regulation 22. These supplementary regulations provide a procedure whereby manufacturers generally covered by Ceiling Price Regulation 22 may avail themselves of the provisions of the so-called Capehart Amendment to the Defense Production Act of 1950. The reason for excluding manufacturers of commodities covered by this revised Supplementary Regulation 15 from the operation of Supplementary Regulations 17 and 18 is that all other meat items, constituting the vast majority of the output of this major industry, are now covered by General Overriding Regulation 21, insofar as Capehart adjustments are concerned. It is believed that GOR 21 is more appropriate in dealing with the complex accounting and cost allocation problems of the meat industry. Moreover, a large percentage of the total production of sterile canned meat and dry sausage is manufactured by firms which make other meat products and which would otherwise be compelled to file for Capehart adjustments under two different methods, thus being subjected to unnecessary expenses and administrative problems. Likewise, the Office of Price Stabilization would be under an increased administrative burden in processing needless duplications of Capehart adjustment filings by these manufacturers.

In the formulation of this regulation, special circumstances have rendered formal consultation with industry representatives, including trade association representatives, impracticable; however, in formulating the provisions of this amendment, consideration has been given to the recommendations of persons representing substantial segments of the industry affected.

In the judgment of the Director, the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

REGULATORY PROVISIONS

Sec.

1. What this revised supplementary regulation does.
2. How to determine your adjusted ceiling prices for sterile canned meat and dry sausage.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161 Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *What this revised supplementary regulation does.* This revised regulation applies to you if you are a manufacturer of sterile canned meat or dry sausage. It revokes the provisions of Supplementary Regulation 15 heretofore in effect with respect to these commodities and provides that all manufacturers of sterile canned meat or dry sausage must determine and report their adjusted ceiling prices under the provisions of Ceiling Price Regulation 22, as amended. If you therefore calculated your ceiling prices under the provisions of Supplementary Regulation 15, you must re-file in accordance with Ceiling Price Regulation 22, except that the mandatory filing date provided in that regulation is being extended by this revised regulation, insofar as sterile canned meat and dry sausage are concerned. If you have heretofore filed for these commodities under the provisions of Ceiling Price Regulation 22, you need not file again. If, under the provisions of CPR 22, you are eligible to elect to remain under the General Ceiling Price Regulation, you may elect to do so for all your commodities, including sterile canned meat and dry sausage.

SEC. 2. *How to determine your adjusted ceiling prices for sterile canned meat or dry sausage.* If you are a manufacturer of sterile canned meat or dry sausage you must comply with all the provisions and requirements of Ceiling Price Regulation 22, as amended, except that you may make the required report of your adjusted ceiling prices at any time before January 31, 1952. You may not use any other method contained in any other supplementary regulation to Ceiling Price Regulation 22. You may, however, apply for a ceiling price adjustment under the provisions of the General Overriding Regulation 21.

Effective date. This revised supplementary regulation shall become effective on January 9, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 4, 1952.

[F. R. Doc. 52-221; Filed, Jan. 4, 1952; 11:54 a. m.]

[Ceiling Price Regulation 30, Amdt. 23]

CPR 30—Machinery and Related Manufactured Goods

Use of previous ceiling prices after effective date of CPR 30 in certain cases

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 733), this amendment to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Some manufacturers covered by Ceiling Price Regulation 30 are required to determine base period prices for certain commodities under section 9 (b) of Ceiling Price Regulation 30 because these commodities are new commodities for which the manufacturer had no Ceiling Price Regulation 30 base period price determining method. Other manufacturers covered by Ceiling Price Regulation 30 are required to apply under section 43a of CPR 30 for ceiling prices or price determining methods because they are manufacturers who have started in business since January 1, 1950 and are therefore unable to compute the labor cost adjustment factor as provided by CPR 30. Neither of these groups of manufacturers is able to determine CPR 30 ceiling prices without applying to OPS either under section 9 (b) or section 43a of CPR 30. Both of these sections of CPR 30 provide that the proposals must be ap-

proved before they may be used. However, both sections provide that the proposals will be deemed approved if OPS has taken no action within 30 days after receipt of the application. Some manufacturers have not been able to complete the filings required under section 9 (b) or 43a by December 19, 1951, the mandatory effective date of CPR 30, and therefore will not have a ceiling price for such commodities.

Accordingly, this amendment permits manufacturers under CPR 30 who are required to determine base period prices under section 9 (b) of CPR 30 or who are required to apply for ceiling prices or a price determining method under section 43a of CPR 30 to continue to use their established GCPR ceiling prices until February 20, 1952, thus allowing these manufacturers additional time to submit the required applications.

In view of the nature of this amendment, the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of industry.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended in the following respects:

A new section 43b is added to read as follows:

SEC. 43b. *Use of previous ceiling prices after effective date of this regulation in certain cases.* If you have established a ceiling price under the GCPR for a commodity or service covered by this regulation for which you must determine a base period price under section 9 (b) of this regulation, or for which you are required to apply for a ceiling price or price determining method under section 43a of this regulation, you may continue to use your established GCPR ceiling price for such a commodity or service as your ceiling price under this regulation until February 20, 1952. If you do continue to use such a GCPR ceiling price you need not comply with the reporting requirements of this regulation with respect to such a commodity or service until February 20, 1952.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective January 4, 1952.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JANUARY 4, 1952.

[F. R. Doc. 52-222; Filed, Jan. 4, 1952; 11:54 a. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 2, Revision 1]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 2—MACHINE TOOLS

MODIFICATIONS OF THE ADJUSTMENTS FOR INCREASES IN OVERTIME LABOR HOURS, SHIFT PREMIUM HOURS AND SUBCONTRACTING

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to Supplementary Regulation 2, Revision 1 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revised Supplementary Regulation 2 to CPR 30 specifies the methods by which manufacturers of machine tools or machine tool attachments may reflect the increases in their costs arising from overtime labor and shift premium hours, and increased subcontracting. It has been found necessary, however, to have the supplementary regulation indicate more clearly when a manufacturer may use the ceiling prices which he is permitted to modify from time to time.

This amendment to the supplementary regulation will establish a pattern in which the three modifications will be used simultaneously, so that for each fiscal quarter they will be expressed as a single change in the adjusted base period price.

A manufacturer is able to determine the modification for increased overtime and shift premium hours by the end of any fiscal quarter since he bases it upon any four consecutive payroll periods during that quarter. Since he need not wait to the very end of that quarter he can make his calculation in sufficient time to apply the modifications at the outset of the next following quarter.

As to the cost of increased subcontracting, the experience-record in any quarter is not likely to be complete until some time after the end of that quarter. In such a case, it is impossible to make the redetermination in time to apply the variation to the quarter next following the experience quarter. The accompanying amendments to subparagraphs (c) (4) and (d) (4) of section 6, therefore, provide that the experience of one quarter be assayed at any time convenient to the manufacturer during the first following quarter, and reflected in his price for the second following quarter.

The Director of Price Stabilization has found it impracticable to consult with representatives of industry on this matter. However, in the preparation of this amendment consideration has been given to requests made by many industry representatives.

AMENDATORY PROVISIONS

Supplementary Regulation 2, Revision 1 to Ceiling Price Regulation 30 is amended in the following respects:

1. Section 6 (c) (4) is amended to read as follows:

(4) You may use the percentage determined under subparagraph (3) of this paragraph for those deliveries which you make in your fiscal quarter which includes the date on which you first calculated this percentage, and for the next succeeding quarter. Following the end of each fiscal quarter, and some time during the next following quarter, you shall recalculate your percentage increase to reflect increased costs due to increased subcontracting. You shall make this recalculation for the same fiscal year for which you made your original calculation. Also, you shall make this recalculation in the manner set forth in subparagraphs (1) through (3) of this paragraph except that you shall reflect in this recalculation your actual experience during your past fiscal quarter and any changes which have occurred in your projected operations for the succeeding nine months period. The resulting recalculated percentage increase may only be used for your fiscal quarter immediately succeeding the quarter in which you made the recalculation.

2. Section 6 (d) (4) is amended to read as follows:

(4) If you calculated the percentage, determined under subparagraph (3) of this paragraph, for a fiscal year, you may use this percentage only for deliveries in your fiscal year which includes the date upon which you made the calculation and for deliveries in the fiscal quarter following the end of such fiscal year. If you calculated the percentage determined under subparagraph (3) of this paragraph for a fiscal half year, you may use this percentage only for deliveries in your fiscal half year which includes the date upon which you made the calculation and for deliveries in the fiscal quarter following the end of such fiscal half year. Following the close of this fiscal year or half-year, as the case may be, you must recalculate your percentage increase to reflect increased costs due to increased subcontracting in the manner set forth in this paragraph, if you wish to continue to reflect such increased costs in your ceiling prices.

3. Section 7 (a) is amended to read as follows:

(a) *Increased overtime and shift premium hours.* During and by the close of each fiscal quarter you shall redetermine the modification of your labor cost adjustment to reflect increased overtime and shift premium hours. You shall make this redetermination in the manner set forth in section 4 of this revised supplementary regulation, except that you shall use in your calculations any four consecutive payroll periods in that fiscal quarter. You shall use this redetermined modified labor cost adjustment for the next following fiscal quarter.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Effective date. This amendment 4 to Supplementary Regulation 2, Revision 1 to Ceiling Price Regulation 30 is effective January 9, 1952.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JANUARY 4, 1952.

[F. R. Doc. 52-223; Filed, Jan. 4, 1952; 11:54 a. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 9]

CPR 34—SERVICES

SR 9—TOBACCO REDRYING AND RELATED SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic

Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 9 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 9 to Ceiling Price Regulation 34, as amended, provides for necessary increases ranging from 15¢ to 25¢ per hundredweight in ceiling prices for the service of redrying certain kinds of 1951 crop tobacco.

By statute, the Commodity Credit Corporation under the Department of Agriculture (CCC) is the government agency responsible for making support loans available to tobacco growers. In 1950, price support was made available on the entire domestic and Puerto Rican production of tobacco. This was also the case in 1951, with the exception of U. S. Type 32, Maryland tobacco, and U. S. Type 41, Pennsylvania Seedleaf tobacco. In the usual administration of the price support program, loans are made to tobacco growers and services are supplied (incident to receiving, redrying and storing loan tobacco) by cooperative marketing associations. Loans are generally made and services are performed by warehouse, dealer and storage organizations of various kinds through contractual arrangements entered into between the cooperative marketing association and the CCC. The organizations performing these services are normally paid by the cooperatives which, in turn, are reimbursed by the CCC. Loans are usually made by CCC taking into account the grade and type of tobacco and the grower's compliance with an approved production program. Such loans require that the charges for redrying and other services shall not exceed certain limits approved by CCC. The tobacco on which the loans are made is the only collateral taken by the CCC.

In an effort to establish a firm cost basis for redrying flue-cured and Burley tobacco, CCC representatives encouraged the cooperatives handling flue-cured and Burley tobacco, to make an extensive cost study of redrying operations to ascertain so far as practicable the increases in the cost of redrying flue-cured tobacco for the 1951 crop. This study showed the increase for 1951 was 21.4¢ per hundredweight over the cost for the 1950 crop. The United States Department of Agriculture reports that the cost increases affecting the 1951 flue-cured operations apply substantially to the same extent to Burley and certain other types of tobacco similarly handled. Generally, flue-cured and Burley redryers will be able to absorb the increases in cost above the 15¢ ceiling price increase permitted by this supplementary regulation. In the case of Virginia fire-cured and Virginia sun-cured tobacco, a greater increase in price is necessary because of the more meticulous handling required and because of the lower yield of packed tobacco. These special factors necessitate more labor per unit of tobacco. As a consequence, it is only fair that redryers of these kinds of tobacco be permitted an increase which recognizes their normally higher cost factors (which has resulted in a trend of diminished production volume each year) and their apparent inability to absorb part of the cost increase applicable to their 1951 crop. Accordingly, an increase of 25¢ per hundredweight over the ceiling price for the 1950 crop is granted in this supplementary regulation in respect to the redrying of Virginia fire-cured and Virginia sun-cured tobacco.

It is appropriate and consistent with normal trade practices to apply these redrying services ceiling price increases equally to loan tobacco (under CCC programs) and other tobacco (commercial tobacco).

Representatives of the CCC and others in the Department of Agriculture have been consulted extensively in the preparation of this regulation and their recommendations have been fully considered. Due to the imminence of the tobacco redrying season formal consultation with industry representatives has not been held.

In the judgment of the Director of Price Stabilization the increases permitted by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Definitions.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Purpose.* The purpose of this supplementary regulation is to permit an increase in the ceiling prices for the service of redrying the 1951 crop tobacco of certain types over comparable ceiling prices for such service in respect to the 1950 crop tobacco.

SEC. 2. *Relationship to Ceiling Price Regulation 34.* All provisions of Ceiling Price Regulation 34, as amended (including the filing requirements of section 18 (c)) except as changed by the pricing provisions of this supplementary regulation shall remain in effect.

SEC. 3. *Ceiling prices.* (a) The ceiling prices which you may charge per hundredweight for the service of redrying the following enumerated and described kinds of 1951 crop tobacco shall be the ceiling prices you were permitted to charge per hundredweight for the same service you supplied in the redrying of the same kinds of 1950 crop tobacco increased by 15¢:

Flue-cured tobacco; Burley tobacco; Dark air-cured tobacco (Steam-dried tobacco, Air-dried tobacco, Winter order tobacco); and Kentucky-Tennessee fire-cured tobacco (Steam-dried tobacco, Air-dried tobacco, Winter order tobacco).

(b) The ceiling prices which you may charge per hundredweight for the service of redrying the following enumerated and described kinds of 1951 crop tobacco shall be the ceiling prices you were permitted to charge per hundredweight for the same service you supplied in the redrying of the same kinds of 1950 crop tobacco increased by 25¢:

Virginia sun-cured tobacco (Steam-dried tobacco, Air-dried tobacco); and Virginia fire-cured tobacco (Steam-dried tobacco—2 bundle pack, Steam-dried tobacco—½ stick pack, Air-dried tobacco—2 bundle pack, Air-dried tobacco—½ stick pack).

(c) The ceiling prices for the service of redrying the 1951 crop tobacco of the types enumerated and described in this supplementary regulation apply to the service of redrying such tobacco, as defined by section 4 (a) (1) of this supplementary regulation, and the customary services incidental to such redrying and the preparation of such tobacco for storage or market.

SEC. 4. *Definitions.* (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) The term "redrying" means the process by which tobacco is prepared for storage through the application of artificial heat and steam in such manner as to achieve the proper moisture content for safekeeping in storage. The term "redrying" includes (i) the receiving of the tobacco, (ii) picking, sorting or blending the tobacco so as to achieve a uniform pack, (iii) packing the tobacco into hogsheads, (iv) providing hogsheads, (v) weighing and stenciling each hogshead, (vi) delivery to local storage or loading out for shipment to storage, and (vii) the maintenance of appropriate records and making of reports. As used herein, "the receiving of tobacco" means accepting delivery of tobacco by the company for the purpose of handling and packing. In the case of tobacco received from auction warehouses located in the town or market center where the packing plant is located, "receiving" includes picking up the tobacco at the auction warehouses and drayage to the plant. In the case of tobacco received from auction warehouses located in towns or market centers other than the town or market center where the packing plant is located, "receiving" does not include the cost of transportation of the tobacco to the plant. In the case of flue-cured and Type 21 fire-cured tobacco, "receiving" does not include "sheeting and shipping" tobacco from towns or market centers other than the town or market center where the packing plant is located.

(2) "Flue-cured tobacco" means U. S. Types 11a, 11b, 12, 13 and 14 tobacco.

(3) "Burley tobacco" means U. S. Type 31 tobacco.

(4) "Dark air-cured tobacco" means U. S. Types 35, 36 and 37 tobacco. "Virginia sun-cured tobacco" is a kind of dark air-cured tobacco grown only in the State of Virginia.

(5) "Steam-dried tobacco" means tobacco which has been prepared for storage by drying through the use of steam.

(6) "Air-dried tobacco" means tobacco which has been prepared for storage by hanging in racks for drying under natural atmospheric conditions.

(7) "Winter order tobacco" means tobacco which has been prepared for storage by packing in hogsheads as delivered

by growers or bulked for conditioning for an indeterminate time before packing into hogsheads.

(8) "Fire-cured tobacco" means U. S. Types 21, 22 and 23 tobacco. "Kentucky-Tennessee fire-cured tobacco" is grown principally in those two states. "Virginia fire-cured tobacco" is grown entirely in the State of Virginia.

(9) "2 bundle pack" means the method of packing tobacco into hogsheads two bundles at a time laid smooth and straight.

(10) "½ stick pack" means the method of packing whereby ½ stick of tobacco is placed in the hogshead at the same time. ½ stick contains about 10 to 12 bundles of tobacco.

(11) "U. S. Types" means the classifications enumerated and described in Regulatory Announcement No. 118 of the Bureau of Agricultural Economics, United States Department of Agriculture.

Effective date. This Supplementary Regulation 9 to Ceiling Price Regulation 34, as amended, shall become effective January 9, 1952.

EDWARD F. PHELPS, Jr.
Acting Director of Price Stabilization.

JANUARY 4, 1952.

[F. R. Doc. 52-224; Filed, Jan. 4, 1952; 11:54 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 63, Area Milk Price Regulation 8]

GCPR, SR 63—AREA MILK PRICE ADJUSTMENTS

AMPR 8—MARKET MILK SOLD IN VACAVILLE-DIXON AREA, SOLANO COUNTY, CALIFORNIA

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Area Milk Price Regulation pursuant to Supplementary Regulation 63 to the General Ceiling Price Regulation (16 F. R. 9559) is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 63 to the General Ceiling Price Regulation authorizes district directors of the OPS to adjust the ceiling prices of milk sold in areas within their jurisdiction when historical marketing patterns, cost increases, and the need for fair and equitable margins demonstrate the need for such action.

The State of California maintains a Bureau of Milk Control which administers and enforces minimum prices to be paid to producers and charged to consumers. Most of the State of California is included in State Marketing Areas. There are several counties and portions of counties, however, for which no Stabilization and Marketing Plan has been promulgated. One of these areas is covered by the accompanying order.

The portion of Solano County included in the Vacaville-Dixon area is located between two State Marketing Areas. Historically, the area, which includes the incorporated cities of Vacaville and Dixon, and the town of Elmira, has followed minimum prices established by the State of California for the Sacramento Marketing Area. The only processor of milk in the area is located in Vacaville, and his contracts with dairy farmers have long provided that he shall pay for milk at the current minimum price established for producers who ship to the Sacramento market.

On August 1, 1951, the State of California Bureau of Milk Control raised the minimum price for producers' milk from $4.63 to $5.07 per hundredweight in the Sacramento Marketing Area. On September 1, 1951, the minimum wholesale and retail prices were increased by ¼ cent wholesale and by ½ cent retail. Both of these actions were approved by the National Office of OPS under Supplementary Regulation 16.

The only milk processor in the area, whose volume amounts to approximately 70 percent of consumption within the area, has demonstrated that he has incurred cost increases in direct labor and container costs which clearly entitle him to the same increase in margins as was authorized by the Office of Price Stabilization for all sales within the Sacramento Area.

The accompanying order establishes ceilings for quarts of market milk in the Vacaville-Dixon Area at the same level as authorized for the Sacramento Marketing Area. No request was made for adjustment of other milk products beyond that to which sellers are entitled under section 11 of GCPR, and no such adjustments are made at this time. This is in conformity with adjustments previously authorized for sellers within State Marketing Areas.

Under the terms of Supplementary Regulation 63, sales by distributors through retail stores remain under the General Ceiling Price Regulation. Under section 11 (c) of that regulation, retail stores may adjust their ceiling prices for fluid milk products by the amount of any price increase charged to them by their suppliers, whether or not due to parity adjustments.

The order provides that the re-sale prices therein specified are based upon the Sacramento Marketing Area producer price of $5.07 per hundredweight for milk containing 3.8 percent milk fat, and that any decrease in that price must be reflected by a corresponding reduction in the re-sale prices as spelled out in the regulation. Any future increase may be added to the specified prices.

In the judgment of the Director of the Sacramento District Office of the Office of Price Stabilization, the provisions of this area milk price regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

The Director of the Sacramento District Office of the Office of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to all relevant factors of general applicability.

The Director has consulted the industry to the extent practicable and has given due consideration to its recommendations.

REGULATORY PROVISIONS

Sec.
1. The area to which this regulation applies.
2. Ceiling prices.
3. Producer paying prices.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.

SECTION 1. *The area to which this regulation applies.* This order applies only to the Vacaville-Dixon area which includes all portions of Solano County, California, within the judicial townships of Vacaville, Elmira, and Silveyville and within those portions of the judicial townships of Tremont and Main Prairie lying west of the Sacramento Northern Railroad right-of-way.

SEC. 2. *Ceiling prices.* (a) The following table lists the ceiling prices for market milk for processors and distributors for the container size and types of sale specified therein:

Container size	Retail (home delivered)	Wholesale
Quarts (milk fat under 4.2 percent)	$0.205	$0.1725
Quarts (milk fat 4.2 percent or more)	.225	.1925
Half-gallon (milk fat under 4.2 percent)	.41	.345
Half-gallon (milk fat 4.2 percent or more)	.45	.395

The processor's or distributor's ceiling price for market milk sold in container sizes other than those specified above are his ceiling prices as originally determined under the General Ceiling Price Regulation, plus: 5 cents per gallon when sold in gallon or multiple gallon containers; ¾ cent per pint when sold in pint containers; and 0.3 cent per half-pint when sold in half-pint containers.

(b) Fractions remaining after the computation of the ceiling price for the total number of units of any milk product being sold has been determined (and after giving effect to section 8 (b) of Supplementary Regulation 63) shall be dropped if less than half a cent and may be increased to the next higher cent if one-half cent or more.

(c) All sellers subject to this area milk price regulation shall file with the Sacramento District Office of the Office of Price Stabilization within thirty days of the effective date of the area milk price regulation, a schedule of their ceiling prices as determined under this section.

SEC. 3. *Producer paying prices.* The prices set forth in this regulation are predicated upon a producer paying price of $5.07 per hundredweight of milk containing 3.8 percent milk fat for Class 1 fluid milk purchased f. o. b. processor's plant, subject to the deductions and additions set forth in Provision 1 of Article 1 of Sacramento Order Number Twenty-nine (29) issued by the State of California Bureau of Milk Control effective August 1, 1951. These producer paying

prices are the specified producer prices to be used as a basis for computing the parity adjustment in ceiling prices under section 8 (a) of Supplementary Regulation 63.

Definitions in the General Ceiling Price Regulation shall apply to the terms used herein.

This order shall become effective January 3, 1952.

FRANK E. JUDY,
District Director,
Office of Price Stabilization.

JANUARY 3, 1952.

[F. R. Doc. 52-165; Filed, Jan. 3, 1952; 4:14 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-95]

M-95—RAILROAD TRANSPORTATION EQUIPMENT

This order is found necessary and appropriate to promote the national defense, and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.
1. What this order does.
2. Definitions.
3. Reports.
4. NPA directive action.
5. Applications for adjustment or exception.
6. Records and reports.
7. Communications.
8. Violations.

AUTHORITY: Sections 1 to 8 issued under sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789.

SECTION 1. *What this order does.* This order applies particularly to producers of railroad transportation equipment, and makes provision for obtaining essential information pertaining to the production or delivery of such transportation equipment in order to assure that orders for such equipment will be filled to meet the needs of the national defense program.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Railroad transportation equipment" means locomotives, railroad freight cars, and industrial cars, of the type set out in Schedule A of this order. Items listed in Schedule A include all of the products contained under a single product code classification number as listed in the NPA Official CMP Class B Product List, except as otherwise expressly indicated in that schedule.

(c) "Producer" means any person engaged in the production of new railroad transportation equipment or who operates a plant for the purpose of rebuilding or redesigning railroad transportation equipment. It does not include persons engaged in normal maintenance or repair operation.

(d) "NPA" means the National Production Authority.

SEC. 3. *Reports.* (a) Not later than the fifteenth day of the first month of each calendar quarter, a producer, unless otherwise directed by NPA, shall file with NPA a report of his proposed production and delivery of railroad transportation equipment for the succeeding quarter in the manner prescribed by Form NPAF-150. The first such quarterly report shall be filed not later than January 15, 1952.

(b) Not later than the fifth day of each calendar month, a producer, unless otherwise directed by NPA, shall file with NPA a report of his actual deliveries for the preceding monthly period in the manner prescribed by Form NPAF-151. The first such monthly report shall be filed not later than February 5, 1952.

SEC. 4. *NPA directive action.* With respect to the production or delivery of railroad transportation equipment, NPA, upon request of a claimant agency, may direct the modification or alteration of a producer's production or delivery schedule to meet the requirements of national defense. Such direction may be made in the discretion of NPA without regard to the provisions of NPA Reg. 2 or to the preferences created by rated orders.

SEC. 5. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing by letter in triplicate, and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 6. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

(b) All records required by this order shall be made available for inspection and audit by duly authorized representatives of the National Production Authority, at the usual place of business where maintained.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 7. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-95.

SEC. 8. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully furnishes false information or conceals a material fact in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect January 4, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

SCHEDULE A OF NPA ORDER M-95

Product Class Code	*Product*
3741111	Locomotives, steam, railroad road service, except turbine.
3741121	Locomotives, straight-electric railroad road service.
3741130	Locomotives, Diesel-electric A units, railroad road service.
3741140	Locomotives, Diesel-electric B units, railroad road service.
3741151	Locomotives, steam turbine, railroad road service.
3741155	Locomotives, gas turbine, railroad road service.
3741211	Locomotives, steam switching.
3741221	Locomotives, straight-electric switching.
3741230	Locomotives, Diesel-electric switching.
3741311	Locomotives, Diesel-mechanical (except mining).
3741331	Locomotives, electric, industrial (except mining).
3741351	Locomotives, steam, industrial (except mining).
3741371	Locomotives, gasoline-mechanical (except mining).
3742211	Cars, box, freight train.

SCHEDULE A OF NPA ORDER M-95—Con.

Product Class Code	Product
3742215	Cars, flat, freight train.
3742221	Cars, stock, freight train.
3742225	Cars, gondola, freight train.
3742231	Cars, hopper, freight train.
3742238	Cars, tank, freight train.
3742241	Cars, refrigerator, freight train.
3742245	Cars, caboose, freight train.
3742251	Cars, rail, industrial, not for passenger use (except mining, motor rail-gang, section, inspection-railroad).

[F. R. Doc. 52-216; Filed, Jan. 4, 1952; 11:23 a. m.]

Chapter XV—Federal Reserve System

[Regulation W]

REG. W—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

1. Effective January 2, 1952, Regulation W (formerly Part 222 of Title 12) is hereby amended in the following respects:

a. By adding, after the word "Automobiles" in Item 1, Group A, Part 1 of section 9 (the Supplement to the regulation), the words "of year-model later than 1942."

b. By adding the following sentence at the end of paragraph (j) of section 6: "Any credit outstanding in connection with the purchase of any property used as a trade-in shall be deemed to be credit for financing the purchase of the article with respect to which the trade-in is made."

(Sec. 5, 40 Stat. 415, as amended, sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 5, 2154. Interprets or applies sec. 601, 64 Stat. 812, as amended; 50 U. S. C. App. Sup. 2131. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

2. a. The above amendment to Regulation W is issued under the authority of section 5 (b) of the act of October 6, 1917, as amended, U. S. C., Title 50, App., sec. 5 (b); Executive Order No. 8843, dated August 9, 1941; and the "Defense Production Act of 1950", as amended, particularly section 601 thereof.

The purposes of the amendment are to eliminate automobiles of 1942 and earlier year-models from the listed articles subject to the regulation and to make it clear that any credit outstanding in connection with the purchase of any property used as a trade-in must be included in determining the permissible amount of credit that may be extended for financing the purchase of the listed article with respect to which the trade-in is made.

b. In the formulation and adoption of the amendment the Board gave consideration to all relevant matter, including responses to a notice and invitation for submissions from interested parties published in 16 F. R. 11195, November 2, 1951, and also the recommendations received from industry representatives, including trade association representatives, with whom consultation was had on November 8, 1951. Section 709 of the Defense Production Act of 1950, as amended, provides for such consultation, except in special circumstances, but provides further that the functions exercised under such act shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of section 3 thereof.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 52-76; Filed, Jan. 4, 1952; 8:47 a. m.]

[Regulation W, Interpretations]

REG. W—CONSUMER CREDIT

INT. 45—FLOOR OR WALL FURNACES

From time to time questions have been presented concerning the application of Regulation W to instalment credit in connection with floor or wall furnaces.

The Board has expressed the view that a floor or wall furnace which transmits heat to a room from a recess in which the furnace is located and which is installed as a permanent part of the realty, is not a space heater, even though the heat is not transmitted by means of pipes or ducts. The reference to "space heaters" in the interpretation published in 15 F. R. 6630 (12 CFR 222.105) does not include such furnaces. Accordingly, when sold for installation in an existing residential building, a floor or wall furnace as described herein constitutes a listed article under Group D, Part 1, of section 9 (the Supplement to the regulation).

INT. 46—VERIFICATION OF LOAN VALUE

A bank or finance company purchasing or discounting an instalment obligation arising from the sale of a listed article is not required by paragraph (e) (2) of section 8 of Regulation W to check the applicable maximum retail price, if any, prescribed by Federal price authorities, to verify that the instalment credit extended does not exceed the amount permissible under Part 4 of section 9 (the Supplement to the regulation) in cases where the "cash price" of the article might not be less than the maximum retail price. Of course, if it appeared from the face of the obligation or accompanying papers, or if the Registrant knew from any other source, that the maximum credit value was exceeded, then the Registrant would not be entitled to the benefits of paragraph (e) (2) of section 8 with respect to such obligation.

This interpretation supersedes the interpretation published in 15 F. R. 7830 (12 CFR 222.118 (b) (41))[1] on the same subject.

(Sec. 5, 40 Stat. 415, as amended, sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 5, 2145. Interprets or applies sec. 601, 64 Stat. 812, as amended; 50 U. S. C. App. Sup. 2131. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Assistant Secretary.

[F. R. Doc. 52-75; Filed, Jan. 4, 1952; 8:47 a. m.]

[1] Redesignated as Interpretation 18 at 16 F. R. 1586.

[Regulation X]

REG. X—REAL ESTATE CREDIT

NONRESIDENTIAL LEASES

1. Effective December 31, 1951, paragraph (o) of section 5 of Regulation X is amended to read as follows:

(o) *Nonresidential leases.* The prohibitions of section 4 of this regulation, except paragraph (a) (5) of section 4, shall not apply to any extension of real estate construction credit which is a contract for the leasing of nonresidential property.[1a]

2. a. The above amendment is issued by the Board of Governors of the Federal Reserve System under authority of the "Defense Production Act of 1950", approved September 8, 1950, as amended; and Executive Order No. 10161, dated September 9, 1950.

The purpose of the amendment is to exempt extensions of credit in connection with the leasing of nonresidential properties from the down payment and maturity requirements of the regulation.

b. Section 709 of the Defense Production Act of 1950 provides that the functions exercised under such act shall be excluded from the operations of the Administrative Procedure Act (60 Stat. 237) except as to the requirements of section 3 thereof.

In amending this regulation and in accordance with the requirements of the aforesaid section 709, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interprets or applies sec. 602, 64 Stat. 813, as amended; 50 U. S. C. App. Sup. 2132. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 52-74; Filed, Jan. 4, 1952; 8:47 a. m.]

[1a] Leases exempt under this paragraph shall be considered "subject to" the regulation for purposes of paragraph (a) (5) of section 4. Moreover, even though contracts for the leasing of nonresidential property are exempt to the extent provided in paragraph (o) above, in cases where there is borrowing to finance nonresidential construction on leased land, and under the contract for leasing the lessee has the option of becoming the owner of the land, or has the right to have all or part of the payments required by the contract subsequently applied to a purchase of the land, or obligates himself to pay a sum substantially equivalent to or in excess of the value of the land, the amount of credit outstanding by reason of the lease must be taken into account in determining the amount of additional credit which may be extended to the lessee to finance the construction. In such cases, the amount of credit outstanding by reason of the lease shall be considered to be the appraised value of the land less any amounts which have been paid and which are applicable to the purchase of the land.

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 4 to Schedule A]

[Rent Regulation 2, Amdt. 2 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE RENTAL AREAS

CALIFORNIA AND FLORIDA

Amendment 4 to Schedule A of Rent Regulation 1—Housing and Amendment 2 to Schedule A of Rent Regulation 2—Rooms in Rooming Houses and Other Establishments. Said regulations are amended in the following respect:

In Schedule A, item 58 is amended to read and new item 40a is added, all as follows:

State and name of defense-rental area	Class	County or counties in defense-rental areas under regulation	Maximum rent date	Effective date of regulation
California				
(40a) Ventura	A	Ventura	Nov. 1, 1950	Jan. 7, 1952
Florida				
(58) Key West	B	Monroe	Oct. 1, 1941	Oct. 1, 1942
	C	do	Sept. 1, 1950	Jan. 7, 1952

These amendments are issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

These amendments shall be effective January 7, 1952.

Issued this 2d day of January 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 52-124; Filed, Jan. 4, 1952; 8:58 a. m.]

[Rent Regulation 3, Amdt. 23 to Schedule A]

RR 3—HOTEL REGULATION

SCHEDULE A—DEFENSE RENTAL AREA

CALIFORNIA AND FLORIDA

Amendment 23 to Schedule A of Rent Regulation 3—Hotels. Said regulation is amended in the following respect:

New items 40a and 58 are added to Schedule A as follows:

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation 3	Maximum rent date	Effective date of regulation
(40a) Ventura	California	Ventura	Nov. 1, 1950	Jan. 7, 1952
(58) Key West	Florida	Monroe	Sept. 1, 1950	Do.

This amendment is issued as a result of joint certifications pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (1) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective January 7, 1952.

Issued this 2d day of January 1952.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 52-123; Filed, Jan. 4, 1952; 8:58 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 770]

ARIZONA

RESERVING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE IN CONNECTION WITH AN AIR FORCE AUXILIARY BASE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described area are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force in connection with Rittenhouse Air Force Auxiliary Field, Williams Air Force Base, Arizona:

GILA AND SALT RIVER MERIDIAN

T. 2 S., R. 8 E.,
Sec. 15.

The area described contains 640 acres of public and non-public lands.

It is intended that the lands described above shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-100; Filed, Jan. 4, 1952; 8:53 a. m.]

[PUBLIC LAND ORDER 777]

IDAHO

PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 1297 OF FEBRUARY 13, 1911, RESERVING PUBLIC LANDS FOR THE PROTECTION OF THE WATER SUPPLY OF BOISE BARRACKS, FORT BOISE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, Executive Order No. 1297 of February 13, 1911, reserving public lands in Idaho for military purposes, for the protection of the water supply of Boise Barracks, Fort Boise, is hereby revoked so far as it affects the following-described lands:

BOISE MERIDIAN

T. 4 N., R. 3 E.,
Sec. 8, SE¼;
Sec. 9, S½;
Secs. 17 and 21;
Sec. 22, W½;
Sec. 27, lots 3, 4, N½SW¼ and NW¼.

The areas described aggregate 2,393.19 acres.

The lands described are a part of the Boise National Forest, having been added to such forest, together with other lands, by the act of May 17, 1934, 48 Stat. 779.

This order shall become effective at 10:00 a. m. on the 35th day from the date of this order.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-101; Filed, Jan. 4, 1952; 8:53 a. m.]

[Public Land Order 778]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive

Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Army for military purposes:

SEWARD MERIDIAN

T. 6 N., R. 11 W.,
Sec. 7, S½,
Sec. 8, SW¼, unsurveyed;
Sec. 17, W½, unsurveyed;
Secs. 18 and 19, unsurveyed;
Sec. 20, W½, unsurveyed;
Sec. 29, NW¼;
Sec. 30, N½.
T. 6 N., R. 12 W.,
Sec. 13;
Sec. 24, N½, SE¼, N½SW¼, SE¼SW¼;
Sec. 25, NE¼.

The tracts described aggregate 4,280 acres.

This order shall take precedence over, but not otherwise affect, (1) Executive Order No. 8979 of December 16, 1941, establishing the Kenai National Moose Range, and (2) Public Land Order No. 487 of June 16, 1948, withdrawing public lands for classification and examination, and in aid of proposed legislation, so far as such orders affect the above-described lands: *Provided, however,* That the use of the lands shall be subject to the following conditions:

(1) All commercial size timber cut during the construction period shall be cold decked along the access roads so that it can be reserved and utilized by local mills under the supervision of the Bureau of Land Management.

(2) Upon completion of the construction period all salvage and sanitation cutting of dead, down, and damaged timber from within the reservation shall be authorized by the Bureau of Land Management upon proper clearance with the Department of the Army in such areas and at such times as will not obstruct the purpose of this withdrawal.

(3) Conservation laws must be strictly observed in this area, inasmuch as the Kenai National Moose Range is set aside by Executive Order for the perpetuation of the species.

(4) Except for the security of the military project and the personnel thereof, the use of firearms for any purpose is prohibited on the said tract and on all of the lands closed to hunting within the Kenai National Moose Range.

(5) No hunting in the withdrawn area is to be permitted, and the regulations of the Fish and Wildlife Service shall be observed.

(6) The area is to be returned to the Kenai National Moose Range when it is no longer needed by the Department of the Army.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-102; Filed, Jan. 4, 1952; 8:53 a. m.]

[Public Land Order 779]

COLORADO

WITHDRAWING PUBLIC LANDS AND RESERVED MINERALS IN PATENTED LANDS FOR USE OF THE UNITED STATES ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The public lands and the minerals reserved to the United States in patented lands in the following-described areas in Colorado are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for the use of the United States Atomic Energy Commission:

NEW MEXICO PRINCIPAL MERIDIAN

T. 45 N., R. 17 W.,
Secs. 3 to 10, inclusive, 15 to 22, inclusive, and 27 to 34, inclusive.
T. 46 N., R. 17 W.,
Sec. 7, lots 3, 4, E½SW¼;
Secs. 27 to 34, inclusive.
T. 45 N., R. 18 W.,
Secs. 1 to 4, inclusive; 9 to 16, inclusive, and 21 to 26, inclusive;
Sec. 27, E½;
Sec. 35, N½;
Sec. 36, N½.
T. 46 N., R. 18 W.,
Sec. 1, lots 3, 4, S½NW¼, and SW¼;
Secs. 2 to 18, inclusive;
Sec. 19, lots 1, 2, E½NW¼, and E½;
Secs. 20 to 29, inclusive;
Sec. 30, E½;
Secs. 32 to 36, inclusive.
T. 47 N., R. 18 W.,
Sec. 25, S½;
Secs. 33 and 34.
T. 46 N., R. 19 W., unsurveyed
Secs. 1, 12, and 13;
Sec. 24, N½.

The areas described, including both public and non-public lands, aggregate 58,558.11 acres.

Any tract or tracts of land within the above-described areas to which valid claims have attached under the public-land laws prior to the date of this order, are excluded from the reservation hereby made: *Provided, however,* That upon the abandonment or extinguishment of such claims for any cause, the reservation shall immediately become effective as to such tract or tracts and the minerals therein.

The reservation made by this order shall be subject to existing withdrawals affecting any of the lands.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-103; Filed, Jan. 4, 1952; 8:54 a. m.]

[Public Land Order 780]

ARIZONA

RESERVING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE IN CONNECTION WITH THE DATELAND AIR FORCE AUXILIARY FIELD

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force in connection with the Dateland Air Force Auxiliary Field:

GILA AND SALT RIVER MERIDIAN

T. 7 S., R. 12 W.,
Secs. 8, 17, and 18;
Sec. 19, lot 1 and E½NW¼.

The areas described aggregate 2,025.02 acres.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-104; Filed, Jan. 4, 1952; 8:54 a. m.]

[Public Land Order 781]

ALASKA

WITHDRAWING PUBLIC LAND FOR THE USE OF THE DEPARTMENT OF THE ARMY IN CONNECTION WITH A RADIO RECEIVING STATION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Army in connection with a radio receiving station for the Alaska Communication System:

Beginning at a point on line 3-4 of U. S. Survey 1669 (canceled) from which corner No. 3 of the survey bears due East 400 feet, thence by metes and bounds;
S. 26° 30' W., 820 feet to corner No. 1;
N. 63° 30' W., 2,500 feet to corner No. 2;
N. 26° 30' E., 2,500 feet to corner No. 3;
S. 63° 30' E., 800 feet approximately to a point 200 feet from Dark or Island Lake;
Southwesterly, easterly, and northeasterly on a traverse 200 feet from and parallel to Dark or Island Lake to a point S. 63° 30' E. approximately 1,500 feet from corner No. 3;
S. 63° 30' E., 1,000 feet, approximately;
S. 26° 30' W., 1,680 feet to point of beginning.

The tract described contains approximately 113 acres.

This order shall take precedence over, but not otherwise affect, Executive Order No. 8344 of February 10, 1940,

withdrawing lands for classification and in aid of legislation, so far as such order affects the above-described land.

It is intended that the land described above shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-105; Filed, Jan. 4, 1952; 8:54 a. m.]

[Public Land Order 762]

ALASKA

RESERVING PUBLIC LANDS FOR USE OF THE ALASKA RAILROAD

By virtue of the authority contained in the act of March 12, 1914, 38 Stat. 305, 307 (48 U. S. C. 304) and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, including the rights, if any, of the public to the areas in the alleys, the following-described public lands are hereby withdrawn from sale or other disposal and reserved for the use of the Alaska Railroad, Department of the Interior, in connection with the Alaska Railroad Terminal Reserve at Seward, Alaska:

FEDERAL ADDITION TO SEWARD TOWN SITE

Block 11, lots 1 and 2 and the 20-foot alley, and block 19, including the 20-foot alley, all as shown on the plat of survey approved May 22, 1916, by the Commissioner of the General Land Office.

R. D. SEARLES,
Acting Secretary of the Interior.

DECEMBER 29, 1951.

[F. R. Doc. 52-107; Filed, Jan. 4, 1952; 8:54 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 985]

[Docket No. AO-240]

HANDLING OF MILK IN THE MUSKEGON-GRAND HAVEN, MICH., MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Supervisors' Room, Muskegon County Court House, Muskegon, Michigan, beginning at 10:00 a. m., e. s. t., January 21, 1952.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk for the Muskegon-Grand Haven, Michigan marketing area and to the issuance of a marketing agreement and order regulating the handling of milk in the said marketing area. The proposals set forth below have not received the approval of the Secretary of Agriculture and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposals and any modification thereof.

Marketing agreement and order proposed by the Michigan Milk Producers' Association:

DEFINITIONS

§ 985.1 *Act.* "Act" means Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.).

§ 985.2 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the United States, authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 985.3 *Department.* "U. S. D. A." means the United States Department of Agriculture.

§ 985.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 985.5 *Muskegon-Grand Haven, Michigan, Marketing Area.* "Muskegon-Grand Haven, Michigan, Marketing Area" referred to in this subpart as the "marketing area" means all territory, including incorporated municipalities, within the outer boundaries of the following townships in the State of Michigan:

Muskegon County:
- Blue Lake.
- Cedar Creek.
- Dalton.
- Eggleston.
- Fruitland.
- Fruitport.
- Holton.
- Laketon.
- Montague.
- Moorland.
- Muskegon.
- Norton.
- Ravenna.
- Sullivan.
- Whitehall.
- White River.

Ottawa County:
- Crockery.
- Grand Haven.
- Polkton.
- Robinson.
- Spring Lake.

Newaygo County:
- Ashland.
- Bridgeton.
- Brooks.
- Dayton.
- Garfield.
- Grant.
- Sheridan.
- Sherman.

Oceana County:
- Benona.
- Claybanks.
- Golden.
- Grant.
- Hart.
- Shelby.

§ 985.6 *Pool Plant.* "Pool Plant" means a plant (except a plant receiving milk from dairy farmers whose payments for milk are subject to the provisions of another Federal milk marketing agreement or order) at which milk is received directly from dairy farmers and from which during the month:

(a) An amount of milk equal to 10 percent or more of the total milk received from dairy farmers at such plant is disposed of in the marketing area as Class I products other than to another pool plant; or

(b) An amount of milk equal to 10 per cent or more of the total milk received from dairy farmers at such plant was transferred to a plant(s) described in paragraph (a) of this section during 8 of the 12 months immediately preceding the current month: *Provided,* That such milk is approved by the authorized health agencies of Grand Haven or Muskegon, Michigan, for sale for fluid consumption in the marketing area.

§ 985.7 *Handler.* "Handler" means

(a) A person who operates a plant within the marketing area in which milk is pasteurized or packaged for distribution as Class I milk.

(b) After the end of one month following the effective date of this subpart, a person who operates a plant outside the marketing area in which milk is pasteurized or packaged for distribution as Class I milk within the marketing area.

(c) A cooperative association with respect to milk customarily received by a handler as described under paragraph (a) of this section, which is diverted to a non-handler for the account of the Association.

§ 985.8 *Producer.* "Producer" means any dairy farmer whose milk is delivered from his farm to a pool plant, or to any other plant by diversion from a pool plant for the account of a handler.

§ 985.9 *Producer-handler.* "Producer-handler" means a person who is a handler and who produces milk, but receives no milk from other producers or from a cooperative association.

§ 985.10 *Other source milk.* "Other source milk" means all skim milk and butterfat in any form received at a handler's plant other than from producers or other handlers.

§ 985.11 *Cooperative Association.* "Cooperative Association" means any cooperative marketing association of producers, duly organized as such under the laws of any state, which the Secretary determines:

(a) Is qualified under the standards set forth in the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) Has full authority in the sale of milk of its members; and

(c) Is engaged in making collective sales or marketing milk or its products for its members.

§ 985.12 *Base.* "Base" means a quantity of milk, expressed in pounds per day, determined for each producer as provided in § 985.70.

§ 985.13 *Base milk.* "Base milk" means milk delivered by a producer each month which is not in excess of his base multiplied by the number of days on which milk is delivered during the month, and all milk delivered by a producer prior to February 1, 1953.

§ 985.14 *Excess milk.* "Excess milk" means milk delivered by a producer each month in excess of his base milk.

MARKET ADMINISTRATOR

§ 985.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary who shall be entitled to such compensation as may be determined by, and shall be subject to removal by, the Secretary.

§ 985.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violation;

(c) To make rules and regulations to effectuate its terms and provisions;

(d) To recommend amendments to the Secretary.

§ 985.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including, but not limited to, the following:

(a) Within 30 days following the date on which he enters upon his duties, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay, out of the funds provided by § 985.85—

(1) The cost of his bond and of the bonds of his employees,

(2) His own compensation, and

(3) All other expenses, except those incurred under § 985.86, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided in this subpart, and, upon request by the Secretary, surrender, the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to § 985.30 and § 985.31, or (2) payments pursuant to §§ 985.80 and 985.83;

(g) Calculate a base for each producer in accordance with § 985.70 and advise the producer and the handler receiving the milk of such base;

(h) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(i) Audit records of all handlers to verify the reports and payments required pursuant to the provisions of this subpart; and

(j) Publicly announce the prices determined for each month as follows:

(1) On or before the 5th working day of each month, the minimum class prices for the preceding month computed pursuant to §§ 985.51 and 985.52, and the handler butterfat differential computed pursuant to § 985.53, and

(2) On or before the 10th working day of each month the uniform price, the price for base milk and the price for excess milk for the preceding month, computed pursuant to §§ 985.62, 985.63, and 985.64, and the producer butterfat differential computed pursuant to § 985.81.

REPORTS, RECORDS, AND FACILITIES

§ 985.30 *Monthly reports of receipts and utilization.* On or before the 5th working day of each month, each handler who operates a pool plant shall report to the market administrator, for the preceding month, in the detail and on forms prescribed by the market administrator, the receipts at his pool plant from each of the following sources and the quantities of butterfat and skim milk contained in such receipts; the utilization of such receipts; and such other information with respect to such receipts and utilization as the market administrator may prescribe;

(a) All producer milk received, including diverted producer milk;

(b) All skim milk and butterfat in any form received from each other handler; and

(c) All other source milk received except any non-fluid milk product which is disposed of in the same form as received.

§ 985.31 *Other reports.* (a) Each producer-handler and each handler who does not operate a pool plant shall make reports at such time and in such manner as the market administrator may request.

(b) On or before the 20th day of each month each handler who received milk from producers shall report his producer payroll for the preceding month which shall show:

(1) The pounds of base milk and pounds of excess milk received from each producer, and the percentage of butterfat contained therein;

(2) The amount and date of payment to each producer, or to a cooperative association; and

(3) The nature and amount of each deduction or charge involved in the payments referred to in subparagraph (2) of this paragraph.

§ 985.32 *Records and facilities.* Each handler shall maintain and make available to the market administrator during the usual hours of business, such accounts and records of all of his operations and such facilities as are necessary to verify reports or to ascertain the correct information with respect to (a) the receipts and utilization or disposition of all skim milk and butterfat received, including all milk products received and disposed of in the same form; (b) the weights and tests for butterfat, skim milk and other contents of all milk and milk products handled; and (c) payments to producers and cooperative associations.

§ 985.33 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That if within such three-year period, the market administrator notifies a handler in writing that the retention of such books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 985.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat received at a pool plant (a) in milk from producers or from a cooperative association, (b) in any form from other handlers and (c) in other source milk required to be reported pursuant to § 985.30, shall be classified (separately as skim milk and butterfat), in the classes set forth in § 985.41.

§ 985.41 *Classes of utilization.* Subject to the conditions set forth in §§ 985.42 and 985.43 the classes of utilization shall be:

(a) Class I utilization shall be all skim milk and butterfat

(1) Disposed of for consumption in fluid form as milk, skim milk, buttermilk or flavored milk, or sweet cream or sour cream for consumption as cream; and

(2) Not accounted for as Class II utilization.

(b) Class II utilization shall be all skim milk and butterfat accounted for:

(1) As used to produce ice cream, ice cream mix, or cottage cheese, or disposed of as whole or skimmed condensed or evaporated milk (sweetened or unsweetened) in bulk or in hermetically sealed cans, cheese, dried whole milk, nonfat dry milk solids, or butter;

(2) Dumped or disposed of as livestock feed;

(3) As actual shrinkage of skim milk and butterfat in producer milk, but not to exceed 2 percent of such receipts; and

(4) As actual shrinkage in other source milk.

§ 985.42 *Shrinkage.* (a) If producer milk is utilized in conjunction with

other source milk, the shrinkage shall be allocated pro rata between the receipts of skim milk and butterfat in producer milk and in other source milk.

(b) Shrinkage on producer milk shall be computed on that quantity of milk received directly from producers. Shrinkage shall be computed on diverted producer milk at the plant receiving such milk.

§ 985.43 *Transfers.* (a) Skim milk and butterfat disposed of from a pool plant to another pool plant in the form of milk, skim milk or cream shall be Class I utilization unless Class II utilization is indicated by the operators of both plants in their reports submitted pursuant to § 985.30: *Provided,* That in no event shall the amount so classified as Class II be greater than the amount of producer milk used in such class in the pool plant of the transferee handler after allocating other source milk in such plant in series beginning with the lowest priced utilization.

(b) Milk moved in the form of whole milk from a pool plant to a plant not a pool plant but disposing of milk for Class I uses shall be allocated to Class I in an amount equal to any disposition of milk for Class I uses from such plant in excess of the amount of milk received at such plant from dairy farmers.

(c) Skim milk and butterfat moved in the form of milk, skim milk or cream from a pool to a plant not a pool plant shall be Class I utilization unless all of the following conditions are met:

(1) Class II utilization is indicated by the operator of the pool plant in his report submitted pursuant to § 985.30 and a statement certifying to such Class II utilization is received by the market administrator from the operator of the nonpool plant to which skim milk and butterfat was moved not later than the last day of the month following the month of such movement.

(2) The operator of such nonpool plant in the month of such movement had actually used an equivalent amount of skim milk and butterfat in Class II, or moved such amount to another nonpool plant which meets the requirements of subparagraph (3) of this paragraph and utilized in the month an equivalent amount of skim milk and butterfat in Class II.

(3) The operator of the nonpool plant maintains books and records which are made available for examination upon request by the market administrator and which are adequate for the verification of such Class II utilization.

§ 985.44 *Responsibility of handlers.* All skim milk and butterfat shall be classified as Class I utilization unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

§ 985.45 *Computation of skim milk and butterfat in each class.* For each month the market administrator shall correct for mathematical and obvious errors the monthly report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I and Class II utilization for each handler.

§ 985.46 *Allocation of butterfat classified.* The pounds of butterfat remaining after making the following computations shall be the pounds in each class allocated to milk received from producers.

(a) Subtract from the total pounds of butterfat in Class II utilization, the pounds of butterfat shrinkage allowed pursuant to § 985.41 (b) (3);

(b) Subtract from the total pounds of butterfat remaining in each class, in series beginning with the lowest-priced utilization, the pounds of butterfat in other source milk;

(c) Subtract from the pounds of butterfat remaining in each class, the pounds of butterfat received from other handlers in such classes pursuant to § 985.43 (a); and

(d) Add to the remaining pounds of butterfat in Class II utilization the pounds subtracted pursuant to paragraph (a) of this section;

(e) If the remaining pounds of butterfat in both classes exceed the pounds of butterfat in milk received from producers, subtract such excess from the remaining pounds of butterfat in each class in series, beginning with the lowest-priced utilization.

§ 985.47 *Allocation of skim milk classified.* Allocate the the pounds of skim milk in each class to milk received from producers in a manner similar to that prescribed for butterfat in § 985.46.

MINIMUM PRICES

§ 985.50 *Basic formula price.* The basic formula price to be used in determining the price per hundredweight of Class I utilization shall be the highest of the prices computed pursuant to paragraphs (a), (b), (c), and (d) of this section.

(a) The average of the basic or field prices per hundredweight reported to have been paid, or to be paid, for milk of 3.5 per cent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the U. S. D. A.:

Present operator and location

Borden Co., Mount Pleasant, Mich.
Carnation Co., Sparta, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., Greenville, Wis.
Borden Co., Black Creek, Wis.
Borden Co., Orfordville, Wis.
Borden Co., New London, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Jefferson, Wis.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus values computed pursuant to subparagraphs (1) and (2) of this paragraph;

(1) From the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the U. S. D. A during the month; subtract 3 cents, add 20 percent thereof and multiply by 3.5.

(2) From the simple average as computed by the market administrator, of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the U. S. D. A., deduct 5.5 cents and then multiply by 8.2.

(c) The price per hundredweight resulting from the following formula:

(1) Multiply by 6 the simple average as computed by the market administrator of the daily wholesale selling prices per pound of Grade A (92-score) bulk creamery butter (using the midpoint of any price range as one price) at Chicago as reported by the U. S. D. A. for the month;

(2) Add an amount equal to 2.4 times the simple average as published by the U. S. D. A. of prices per pound of "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, on the trading days that fall within the month;

(3) Divide by 7, add 30 percent thereof, and then multiply by 3.5.

(d) The average of the prices per hundredweight reported to have been paid, or to be paid, for milk of 3.5 percent butterfat content received from farmers during the month at the following plants for which prices have been reported to the market administrator:

Carnation Milk Co., Sparta, Mich.
Saranac Milk Products Co., Saranac, Mich.
Pet Milk Co., Wayland, Mich.

§ 985.51 *Class I milk price.* (a) Subject to the provisions of paragraph (b) of this section, the minimum price per hundredweight to be paid by each handler, f. o. b. his pool plant as described in § 985.6 for milk of 3.5 percent butterfat content received from producers or from cooperative associations during the month, which is classified as Class I utilization shall be the basic formula price plus $1.20.

(b) The market administrator shall compute each month a "utilization ratio" which shall be the percentage that total receipts by all handlers of producer milk during the first and second months next preceding the current month, is of total Class I utilization of all handlers during such two-month period. For each month the Class I price shall be decreased 15 cents if the "utilization ratio" as computed in the next preceding month is 7.5 percentage points or more above the average of the percentages for the corresponding months in the following schedule and the Class I price shall be increased 15 cents if such "utilization ratio" is 7.5 percentage points or more below the average of the percentages for the corresponding months in such schedule. The Class I price shall be decreased or increased an additional 15 cents for each additional full 5 percentage points which such "utilization ratio" is above or below the percentage for the corresponding month in such schedule: *Provided,* That when the price has been so decreased or increased it shall not

next be increased or decreased, respectively, until such percentage is ½ percentage point higher or lower, as the case may be, than the percentage at which such price change would otherwise be made.

Month:	Percentage
January	125.6
February	131.0
March	144.1
April	159.2
May	172.4
June	178.1
July	157.0
August	146.1
September	136.5
October	129.2
November	122.5
December	125.8

(c) The provisions of paragraph (b) of this section shall not apply until the fourth month after this subpart becomes effective.

§ 985.52 *Class II milk price.* The minimum price per hundredweight to be paid by each handler, f. o. b. his pool plant as described in § 985.6 for milk of 3.5 percent butterfat content received from producers or from a cooperative association, during the month, which is classified as Class II utilization, shall be the higher of the prices as computed by the market administrator pursuant to paragraphs (a) and (b) of this section:

(a) The price per hundredweight pursuant to § 985.50 (b).

(b) The price per hundredweight pursuant to § 985.50 (d).

§ 985.53 *Handler butterfat differential.* There shall be added to or subtracted from, as the case may be, the prices of milk for each class as computed pursuant to §§ 985.51 and 985.52 for each one-tenth of one percent variation in the average butterfat test of the milk in each class above or below 3.5 percent the amounts determined as follows:

(a) *Class I milk.* Add 2 cents to the producer butterfat differential determined pursuant to § 985.81.

(b) *Class II milk.* Divide the price arrived at pursuant to § 985.50 (b) (1) by 35: *Provided,* That when the Class II price is determined pursuant to § 985.50 (d) divide the amount computed pursuant to § 985.50 (b) (1) by the amount computed to § 985.50 (b) (1) and (2) and multiply the price determined pursuant to § 985.50 (d) by the resulting percentage and then divide by 35 and round off to the nearest one-tenth cent.

DETERMINATION OF UNIFORM PRICE

§ 985.60 *Computation of value of milk for each handler.* (a) The value of producer milk received during the month by each handler who operates a pool plant shall be a sum of money computed by the market administrator by multiplying by the applicable class price adjusted pursuant to § 985.53 the total combined hundredweight of skim milk and butterfat received from producers allocated to each class pursuant to §§ 985.46 and 985.47, adding together the resulting amounts, and if such handler has a utilization greater than has been accounted for as received from all sources, add an amount computed by multiplying any such excess utilization classified pursuant to § 985.46 (e) and § 985.47 by the applicable class prices.

(b) Each handler who has other source milk allocated to Class I pursuant to §§ 985.46 and 985.47 shall pay to the producer equalization fund each month an amount computed by multiplying the hundredweight of milk so allocated by the difference between the Class I and Class II prices for the month adjusted by the butterfat differentials provided in § 985.53 to the butterfat test of such other source milk.

§ 985.61 *Computation of the 3.5 percent value of all producer milk.* For each month, the market administrator shall compute the 3.5 percent value of producer milk by:

(a) Combining into one total the individual values of milk of all handlers, computed pursuant to § 985.60 (a) adjusted by any charges or credits pursuant to § 985.90 (a) and (b).

(b) Adding, if the weighted average butterfat test of all producer milk represented in paragraph (a) of this section is less than 3.5 percent, or subtracting if the weighted average butterfat test of such milk is more than 3.5 percent, an amount computed by multiplying the total pounds of butterfat represented by the difference of such average butterfat test from 3.5 percent by the butterfat differential provided in § 985.81 multiplied by 10.

(c) Adding not less than one-half of the unobligated balance in the producer-equalization fund.

§ 985.62 *Uniform price.* For each month the uniform price shall be computed by: (a) Dividing the amount computed pursuant to § 985.61 by the hundredweight of milk received from producers represented by the values included in § 985.61 (a); and (b) subtracting not less than 4 cents or more than 5 cents.

§ 985.63 *Excess milk price.* For each month the excess milk price shall be the price of Class II utilization determined pursuant to § 985.52, rounded off to the nearest full cent.

§ 985.64 *Computation of the base milk price.* (a) Multiply the total pounds of excess milk and milk to be paid for at the excess milk price pursuant to § 985.70 (b) by the excess milk price for the month.

(b) Multiply the total amount of milk to be paid for at the uniform price by the uniform price for the month.

(c) Subtract the total values arrived at in paragraphs (a) and (b) of this section from the total 3.5 per cent value of all producer milk arrived at in § 985.61;

(d) Divide the resultant value by the total hundredweight of base milk and milk to be paid for at the base price pursuant to § 985.70 (b); and

(e) Subtract not less than four cents nor more than five cents. The resultant hundredweight price shall be the price of base milk of 3.5 per cent butterfat content received at pool plants described in § 985.6.

§ 985.65 *Notification.* On or before the 10th day after the end of each month the market administrator shall notify each handler of:

(a) The amounts and values of his milk in each class and the total of such amounts and values;

(b) The base of any producer delivering milk to the handler which was not used in making payments for the previous month.

(c) The amount due such handler from the producer-equalization funds, as the case may be; and

(d) The totals of the minimum amounts to be paid by such handler pursuant to §§ 985.80, 985.83, 985.85, and 985.90.

BASE RULES

§ 985.70 *Determination of base.* (a) A producer who delivered milk on at least 122 days during the period August 1 through December 31, inclusive, of any year after 1952, and a producer who delivered milk during all of the period for which this part is in effect in the year of 1952, shall have a base computed by the market administrator to be applicable, subject to paragraph (c) of this section, for the 12 months' period beginning the following February 1, equal to his daily average milk deliveries from the date on which milk was first delivered in the period to the end of such period: *Provided,* That a producer who had a base previous to August 1, and whose average of daily deliveries for the August 1–December 31 period is less than such base shall have a base computed by subtracting from previous base any amount by which 90 percent of his previous base exceeds such average of daily deliveries.

(b) A producer who has no base by reason of having delivered less than 3 full months shall be paid, until such time as he has been a producer 3 full months, the uniform price in each of the months of August through December and in other months the price applicable to base milk for the following percentages of his milk deliveries and the price applicable to excess milk for the remainder of his deliveries: 75 percent for January and February, 70 percent for March, 60 percent for April and July, and 40 percent for May and June. At the conclusion of the first three full months' delivery a base shall be established in the following manner: Multiply the total deliveries in the months of August through December by 0.8, in January and February by 0.75, in March by 0.7, in April and July by 0.6, and in May and June by 0.4. Add the amounts so computed and divide by the number of days in which milk was delivered during the three months.

(c) A producer with a base, by notifying the market administrator that he relinquishes such base, may establish a new base pursuant to paragraph (b) of this section once during the 12-month period ending December 31, the period for establishing a new base to begin the first day of the month in which such notification is received by the market administrator.

(d) From the effective date of the subpart until bases are established pursuant to this section, all milk delivered

by producers shall be considered to be base milk.

§ 985.71 *Application of bases.* (a) A base shall apply to deliveries of milk by the producer for whose account milk was delivered during the base period and upon death may be transferred to a member or members of the deceased producer's immediate family;

(b) Bases may be transferred under the following conditions upon written notice by the holder of the base to the market administrator on or before the last day of the month that such base is to be transferred:

(1) Upon retirement or entry into military service of a producer, the entire base may be transferred to a member or members of his immediate family.

(2) Bases may be held jointly and if such joint holding is terminated the bases may be transferred as specified in writing to the market administrator by the joint holders to a person or persons who maintain a dairy herd or herds on the same farm.

(c) A producer who does not deliver milk to a handler for 45 consecutive days shall forfeit his base.

PAYMENT FOR MILK

§ 985.80 *Time and method of payment.* On or before the 15th day after the end of each month each handler who received milk from producers or from a cooperative association shall pay for milk received during such month to each producer, or to a cooperative association, for milk received from producers for the account of such association, the uniform price as provided in § 985.70 (b) or (c), or the base price for base milk and for milk to be paid for at the base price pursuant to § 985.70 (b) and the excess price for excess milk and milk to be paid for at the excess price pursuant to § 985.70 (b), adjusted by the butterfat differential pursuant to § 985.81: *Provided,* That if by such date such handler has not received full payment for such month pursuant to § 985.84 he shall not be deemed to be in violation of this section if he reduces uniformly to all producers and cooperative associations his payments per hundredweight by a total amount not in excess of the reduction in payments due from the market administrator; however, the handler shall make such balance of payment uniformly to those producers to whom it is due on or before the date for making payments pursuant to this section next following that on which such balance of payment is received from the market administrator.

§ 985.81 *Producer butterfat differential.* In making payments pursuant to § 985.80, the uniform price, base price and excess price shall be increased or decreased for each one-tenth of 1 percent of butterfat content in the milk received from each producer or a cooperative association above or below 3.5 percent, as the case may be, by a butterfat differential of 7 cents when the average price of butter as described in § 985.50 (b) (1) is 60 cents, which differential shall be increased one-half cent for each full 5 cents variance in such price of butter above 60 cents and decreased one-half cent for each full 5-cent variance in such price of butter below 64.99 cents.

§ 985.82 *Producer-equalization Fund.* The market administrator shall establish and maintain a separate fund, known as the "producer-equalization fund" into which he shall deposit all payments received pursuant to § 985.83 and out of which he shall make all payments pursuant to § 985.84.

§ 985.83 *Payments to the producer-equalization fund.* On or before the 13th day after the end of each month, each handler

(a) Whose value of milk is required to be computed pursuant to § 935.60 (a) shall pay to the market administrator any amount by which such value for such month is greater than the minimum amount required to be paid by him pursuant to § 985.80, and

(b) Who is required to make payment pursuant to § 985.60 (b) shall pay such amount to the market administrator.

§ 985.84 *Payment out of the producer-equalization fund.* On or before the 14th day after the end of each month, the market administrator shall pay to each handler any amount by which the value of milk for such handler for the month pursuant to § 985.60 (a) is less than the total minimum amount required to be paid by him pursuant to § 985.80, less any unpaid obligations of such handler to the market administrator pursuant to § 985.83: *Provided,* That if the balance in the producer-equalization fund is insufficient to make all payments to all such handlers pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds become available.

§ 985.85 *Expense of administration.* As his pro rata share of the expense of administration of this subpart, each handler shall pay to the market administrator on or before the 13th day after the end of each month four cents per hundredweight, or such amount not exceeding four cents per hundredweight as the Secretary may prescribe, with respect to all receipts within the month of milk from producers.

§ 985.86 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments pursuant to § 985.80 for milk received from each producer at a plant not operated by a cooperative association of which such producer is a member, shall deduct seven cents per hundredweight, or such amount not exceeding seven cents per hundredweight as the Secretary may prescribe, with respect to all such milk received during the month and, on or before the 13th day after the end of each month, shall pay such deductions to the market administrator. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received from producers and to provide producers with market information, such services to be performed by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members, and for whom a cooperative association is actually performing the services described in paragraph (a) of this section, as determined by the Secretary, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from payments required pursuant to § 935.80 as may be authorized by such producers, and pay such deductions on or before the 13th day after the end of the month to the cooperative association rendering such services of which such producers are members.

ADJUSTMENT OF ACCOUNTS

§ 985.90 *Payments.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses adjustments to be made, for any reason, which result in moneys due:

(a) To the market administrator from such handler,

(b) To such handler from the market administrator, or

(c) To any producer or cooperative association from such handler, the market administrator shall notify such handler promptly of any such amount due; and payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred, following the 5th day after such notice.

§ 985.91 *Overdue accounts.* Any unpaid obligation of a handler or of the market administrator pursuant to §§ 985.83, 985.85, 985.86, and 985.90 shall be increased one-half of one percent on the first day of the month next following the due date of such obligation and on the first day of each month thereafter until such obligation is paid.

APPLICATION OF PROVISIONS

§ 985.100 *Milk caused to be delivered by cooperative association.* Milk referred to in this subpart as received from producers by a handler shall include milk of producers caused to be delivered to such handlers by a cooperative association.

§ 985.101 *Handler exemption.* A producer-handler and a handler who does not operate a pool plant shall be exempt from all provisions of this subpart except §§ 985.31, 985.32, and 985.33.

§ 985.102 *Exempt milk.* Milk received at the plant of a handler the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing order issued pursuant to the act for any fluid milk marketing area shall be exempt from all provisions of this subpart except §§ 985.30, 985.31, 985.32, and 985.33.

TERMINATION OF OBLIGATIONS

§ 985.110 *Termination of obligations.* (a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraph (b) and (c) of

this section, terminate two years after the last day of the month during which the market administrator receives the handler's report of utilization of the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producers or associations, or, if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books or records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the month following the month during which such books and records pertaining to such obligation are made available to the market administrator or his representative.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or wilful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the month during which the payment (including deduction or setoff by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 985.120 *Effective time.* The provisions of this subpart, or of any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 985.121 *When suspended or terminated.* The Secretary shall, whenever he finds that this subpart, or any provision of this subpart, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this subpart or any such provision of this subpart.

§ 985.122 *Continuing obligation.* If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 985.123 *Liquidation.* Under the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed, by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers, in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 985.130 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 985.131 *Separability of provisions.* If any provision of this subpart, or the application to any person or circumstances, is held invalid the application of such provision, and of the remaining provisions of this subpart, to other persons or circumstances shall not be affected thereby.

The Farr View Dairy, of Fruitport, Michigan, has requested that the proposed marketing area (§ 985.5, above) be extended to include Chester Township in Ottawa County and Cassanovia Township in Muskegon County.

Copies of this notice of hearing may be procured from the Hearing Clerk, United States Department of Agriculture in Room 1353, South Building, Washington, D. C., or may there be inspected.

Dated: January 4, 1952.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator.

[F. R. Doc. 52-235; Filed, Jan. 4, 1952; 1:34 p. m.]

NOTICES

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

RADAR PROCEDURES FOR CONTROL OF IFR TRAFFIC DEPARTING FROM WASHINGTON CONTROL ZONE

EMPLOYMENT ON A TRIAL BASIS

Notice is hereby given that beginning January 7, 1952, and until further notice, radar procedures for the control of IFR traffic departing from the Washington Control zone will be employed on a trial basis.

(a) In accordance with these procedures, air traffic control will provide by means of radar a minimum of at least three miles horizontal separation between aircraft departing on IFR flight plans and all other known IFR traffic, unless standard vertical, lateral, or longitudinal separation, as required by the ANC/PCAT Manual of Operations, exists and will continue to exist.

(b) As additional services, insofar as practicable, (1) separation as specified in paragraph (a) above will be provided, regardless of weather conditions, between aircraft departing on IFR flight plans and any other traffic observed on the radar scope whose altitude is not known or whose altitude is the same as the altitude of the aircraft being controlled, and (2) radar traffic advisory information will be supplied to aircraft departing VFR.

(c) Many factors (such as limitations of the radar, volume of traffic, controllers work load, and frequency congestion) may prevent the controller from providing the additional services mentioned in paragraph (b) above. The controller will have complete discretion in determining whether he is able to provide, or to continue to provide, these additional services in a specific case. His decision against providing, or continuing to provide, these services in a particular case will not be subject to question and need not be communicated to the aircraft. In other words, the provision of these additional services will be dependent entirely upon whether the controller believes he is in a position to provide them.

Copies of the detailed radar departure procedures may be obtained from the Washington National Tower or Washington Air Route Traffic Control Center.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-67; Filed, Jan. 4, 1952; 8:45 a. m.]

Office of International Trade

[Case No. 118]

A. GIVATOWSKY ET AL.

ORDER REVOKING AND DENYING LICENSE PRIVILEGES

In the matter of: A. Givatowsky, Etablissements du Grei, Ninety-four Avenue Louise, Brussels, Belgium; Girol-Trust, Reg., Hauptstrasse, 33, Vaduz, Liechtenstein, respondents.

This proceeding was begun by the issuance of a charging letter, dated June 29, 1951, wherein the Investigation Staff, Office of International Trade, Department of Commerce, charged A. Givatowsky, Etablissements Du Grei, of Brussels, Belgium and Girol-Trust, Reg., of Vaduz, Liechtenstein, (hereinafter when not referred to by name, referred to as respondents), with having violated the Export Control Act of 1949, and the regulations issued thereunder.

The charging letter alleged in substance that in January 1950, respondents submitted an order to an American correspondent for one Caterpillar tractor with bulldozer attached and therein stated that the tractor was to be delivered to Antwerp, Belgium, although they knew and intended that the country of ultimate destination for said tractor was Czechoslovakia and they intended to reexport it to Czechoslovakia upon arrival at Antwerp; they thereafter caused an application to be filed with the Office of International Trade, for an export license for said tractor, in which application Belgium was falsely stated as the country of ultimate destination; that they thereby concealed the true ultimate destination of the tractor, submitted a false order in support of the application for export license and caused to be made false representations as to true ultimate destination of the tractor, all in violation of the law and regulations.

The charging letter temporarily suspended respondents from the privilege of participating in any validated license shipments from the United States pending the outcome of this proceeding.

Respondents, after receiving the charging letter, which informed them of their privilege to request an oral hearing, elected to reply by written answer and made no demand for oral hearing.

Pursuant to the regulations, there were submitted to the Compliance Commissioner the charging letter, respondents' written answers thereto, and certain documentary evidence. These materials were reviewed and considered by the Compliance Commissioner and he has duly submitted his report and recommendations to the Assistant Director for Export Supply.

The Assistant Director for Export Supply has carefully considered and reviewed the entire record herein, including the charging letter and the answers, the evidence submitted to the Compliance Commissioner, and his report and recommendations, from all of which it appears:

(1) That A. Givatowsky is engaged in business under the firm name, Etablissements Due Grei, at 94 Avenue Louise, Brussels, Belgium.

(2) That Girol-Trust, Reg., is a corporation doing business in Vaduz, Liechtenstein.

(3) That Girol-Trust, Reg., is a medium through which Givatowsky engages in financial operations and that it is in fact dominated by and controlled by him.

(4) That between December 1948 and March 1949, Givatowsky obtained an order from a firm in Czechoslovakia for one used tractor with bulldozer, and arranged for the financing thereof through the medium of Girol-Trust, Reg.

(5) That for the purpose of acquiring said tractor to be shipped to Czechoslovakia, Givatowsky and Girol-Trust, Reg., negotiated with a New York exporter for its purchase.

(6) That for the purpose of obtaining an export license authorizing the shipment to Europe, Givatowsky and Girol-Trust, Reg., sent the New York exporter a firm order specifying Antwerp as the place of destination and induced it to file an application for said export license with the Office of International Trade and to state therein that the country of destination of said tractor was Belgium.

(7) That prior to the submission of said export license application and while it was pending before the Office of International Trade, A. Givatowsky and Girol-Trust, Reg., knew that the true country of destination was not Belgium but was, in fact, Czechoslovakia.

(8) That Givatowsky and Girol-Trust, Reg., intended that the Office of International Trade rely upon the representation that the tractor was to be shipped to Belgium and that said Office issue an export license to permit the exportation thereof to Belgium.

(9) That it was the intention of Givatowsky and Girol-Trust, Reg., if said license were so granted for shipment to Belgium and said tractor did actually arrive in Belgium, to transship it to Czechoslovakia.

And from which it is concluded that the respondents:

(a) Concealed or caused to be concealed the ultimate destination of the aforesaid tractor for the purpose of effecting its exportation from the United States in violation of 15 CFR, 281.1 (b).

(b) Submitted or caused to be submitted an order for the purchase and importation from the United States of the aforesaid tractor with the intention of transshipping said tractor from Antwerp to Czechoslovakia contrary to the terms of said order in violation of 15 CFR, 381.1 (b) (3) (iii).

(c) Made or caused to be made false representations as to ultimate destination for the purpose of effecting the exportation of said tractor from the United States in violation of 15 CFR, 381.1 (b).

In his report the Compliance Commissioner has considered and appraised the acts of the respondents and has given due weight to all the surrounding circumstances in formulating his recommendations. They are found to be fair and reasonable, and necessary to protect the public interest, and, *It is now, therefore, ordered,* As follows:

(1) All outstanding validated export licenses in which A. Givatowsky, Etablissements Du Grei and Girol Trust, Reg., or any of them, appear as purchaser, intermediate or ultimate consignee or otherwise as a participant in any capacity be revoked and forthwith returned to the Office of International Trade for cancellation.

(2) Girol-Trust, Reg., A. Givatowsky, individually, and the firm Etablissements Du Grei, their successors or assigns, directors, officers, representatives, agents, and/or employees, be and they hereby are denied, until December 31, 1952, the privilege of obtaining or using or participating in the obtaining or using of validated export licenses or general licenses for the export from the United States to any destination of any commodity. They, and each of them, be and they hereby are further denied, until December 31, 1952, the privilege of directly or indirectly receiving, or being a party to, or otherwise participating in, any exportation of any commodity from the United States in any manner or capacity, including the financing, forwarding, transporting or other servicing of such exports.

(3) Such denial of export privileges shall apply not only to the named respondents, and each of them, but during said period to any person, firm, corporation, or business organization with which they or any of them may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States.

(4) No person or business organization during said period shall knowingly (a) apply for or obtain any license, shipper's export declaration, bill of lading or other export control document relating to any exportation from the United States of commodities to or for any of the respondents or those persons and business organizations within the scope of paragraphs (2) and (3) hereinabove, or (b) order, receive, service, or otherwise act as a party to, any exportation of commodities from the United States, in such manner that any of the aforestated respondents or those persons and business organizations covered in paragraphs (2) and (3) hereinabove will directly or indirectly obtain any benefit therefrom during said period, without prior disclosure of such facts to, and specific authorization of, the Office of International Trade.

Dated: January 2, 1952.

JOHN C. BORTON,
Assistant Director for Export Supply.

[F. R. Doc. 52-83; Filed, Jan. 4, 1952; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[Commissioner's Order 8]

ASSISTANT COMMISSIONER

REDELEGATION OF AUTHORITY WITH RESPECT TO PROSECUTION OF PROGRAMS ESSENTIAL TO NATIONAL DEFENSE

DECEMBER 26, 1951.

SECTION 1. The authority vested in the Commissioner of Reclamation by the

Secretary of the Interior in Order No. 2669 (16 F. R. 11974) is hereby redelegated to the Assistant Commissioner in charge of construction and supply, subject to the conditions and qualifications contained therein.

SEC. 2. Contracts entered into under the authority of this order shall be executed on behalf of the Government by the duly authorized contracting officers. However, all contracts, amendments, or modifications of contracts, which require the exercise of First War Powers Act authority, shall be first approved in writing thereon by the Commissioner or the Assistant Commissioner in charge of construction and supply before they shall become legally effective and binding.

MICHAEL W. STRAUS,
Commissioner of Reclamation.

[F. R. Doc. 52-69; Filed, Jan. 4, 1952; 8:46 a. m.]

[No. 8]

YUMA MESA DIVISION, GILA IRRIGATION PROJECT, ARIZONA

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

DECEMBER 10, 1951.

1. *Water rental.* Irrigation water will be furnished during calendar year 1952 under approved applications for water service during development period to the public land, public land entered, state land and private land described in Paragraph 1 of Public Notice No. 4 dated December 10, 1947, entitled "Public Notice Announcing Availability of Water for Public, State and Private Lands and Opening of Public Lands to Entry," as amended January 8, 1951, and to the desert land entries and private land described in Paragraph 1 of Public Notice No. 7 dated January 7, 1950, entitled "Public Notice Announcing Availability of Water for Certain Desert Land Entries and Private Lands," and, when available and where the progress of construction contemplated herein will permit, upon a rental basis under approved applications for temporary water service, to those public lands in the Yuma Mesa Unit of the Yuma Mesa Division which are not described in either of said notices, and to those private lands in said unit listed below:

PRIVATE LANDS

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 8 S., R. 23 W.:
Sec. 33, S½SE¼.
Sec. 34, SW¼, NW¼SE¼ lying S. of S. P. R. R.
T. 9 S., R. 22 W.:
Sec. 3, E½SW¼.
Sec. 5, E½SW¼ lying S. of S. P. R. R.,
Sec. 6, W½SW¼, SW¼NW¼ lying S. of S. P. R. R.
Sec. 8, N½NE¼, N½NW¼.
Sec. 9 N½NW¼SE¼.
Sec. 17, NW¼NW¼;
Sec. 19, E½;
Sec. 20, E½SW¼;
Sec. 29, W½NW¼;
Sec. 30, SE¼NW¼, NE¼;
Sec. 31, S½SW¼.
T. 9 S., R. 23 W.:
Sec. 1, SW¼;
Sec. 3, NW¼, N½SW¼;
Sec. 4, NE¼, N½SE¼, E½SW¼;
Sec. 16, N½NE¼SE¼, NW¼SW¼, N½ N½S½SW¼;
Sec. 25, SE¼;
Sec. 35, E½;
Sec. 36, W½, E½ lying W. of A-7.4 lat.
T. 10 S., R. 22 W.:
Sec. 6, W½NW¼.
T. 10 S., R. 23 W.:
Sec. 1, NW¼NE¼, SW¼, W½SE¼;
Sec. 16, NW¼, N½NE¼.

STATE LANDS

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 9 S., R. 22 W.:
Sec. 30, SW¼.
T. 9 S., R. 23 W.:
Sec. 16, W½NE¼, S½NE¼SE¼, S½N½ S½SW¼, S½S½SW¼.
T. 10 S., R. 23 W.:
Sec. 2, All.

2. *Charges and terms of payment.* Water rental charges shall be payable in advance of the delivery of water at rates as follows:

(a) (i) For lands irrigated hereunder before July 1, 1952, and under irrigation prior to January 1, 1951, the minimum charge shall be $7.20 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to an allotment of 8 acre feet of water per acre. Additional water will be furnished at the rate of $1.00 per acre-foot.

(ii) For lands irrigated hereunder before July 1, 1952, and not under irrigation prior to January 1, 1951, the minimum charge shall be $7.20 per acre for each acre of land for which water service is requested during 1952, payment of which will entitle the applicant to an allotment of 12 acre feet of water per acre for the establishment of a new crop on raw land. Additional water will be furnished at the rate of $1.00 per acre-foot.

(iii) If applicant so requests, one-half of said minimum charge may be paid on January 1, 1952, or at such time prior to July 1, 1952, as the water-service application may be filed, which, upon approval, shall entitle the applicant to one-half of the allotment of water as set forth in paragraphs 2 (a) (i) or 2 (a) (ii) above. The balance of said minimum charge shall be paid on July 1, 1952; or at such time as applicant requires more than one-half of such allotment of water, whichever is sooner, and payment thereof shall entitle the applicant to the remaining one-half of such allotment.

(b) For public lands leased for a portion of a calendar year, unless otherwise stipulated in the lease, there will be a charge of $0.90 per acre-foot for the first 8 acre feet of water ordered and a charge of $1.00 per acre-foot for all additional water ordered.

(c) For the remaining lands mentioned in paragraph 1 not irrigated at any time theretofore, but receiving water after July 1, 1952, there will be a charge of $0.60 per acre-foot for the first 6 acre feet of water ordered during calendar year 1952 and a charge of $1.00 per acre-foot for all additional water ordered during that year.

3. The charges set out in paragraph 2 above shall be applicable to sprinkler irrigation as well as to other irrigation methods. Water ordered, whether for sprinkler irrigation or for irrigation by any other method, shall be measured at the turnout where delivery is made to the applicant.

4. The presently constructed distribution system for lands in the Yuma Mesa Unit of the Yuma Mesa Division generally provides single turnout facilities for legal subdivisions of private lands comprising approximately 80 gross acres. Under present plans the Bureau contemplates the construction of additional water service facilities upon application therefor, subject to the conditions stated below, for units lacking individual water service facilities which constitutes portions of such subdivisions and which comprised not less than approximately 40 gross acres as of December 31, 1947, according to records of the County Recorder of Yuma County, Arizona. Each request for the construction of such facilities shall be accompanied by a deposit of the minimum per-acre charge mentioned in paragraph 2 (a) (i) above and by evidence satisfactory to the Chief, Operations Division, Lower Colorado River District, that the applicant will proceed as expeditiously as practicable with the agricultural development of the unit. Such construction will be limited to the extent deemed by the Bureau to be practicable and prosecution thereof will be subject to the availability of funds therefor; such construction will be scheduled for completion within six months from the approval of such request. Upon approval of such request, the above-mentioned deposit shall be credited to the applicant's account and thereafter applied against charges made pursuant to paragraph 2 (a) (i), 2 (a) (ii) or 2 (c) above in connection with water delivered to said unit.

5. Except as otherwise provided in the Reclamation Law (act of June 17, 1902, 32 Stat. 388, as amended or supplemented) no water will be delivered hereunder to any lands which constitute "excess lands" within the meaning of said laws.

6. No application for water service to isolated tracts will be approved where such service, in the opinion of the Chief, Operations Division, Lower Colorado River District, would require excessive expenditures for maintenance.

7. Applications for temporary water service may be made by the landowner or by anyone who presents evidence satisfactory to the Chief, Operations Division, Lower Colorado River District, that he is the tenant or lessee of the land for which water is requested, or that he has been authorized by the owner to make a water rental application for such land.

8. Water service applications and the payments required thereunder will be received at the office of the Chief, Operations Division, Lower Colorado River District, Yuma, Arizona.

E. A. MORITZ,
Regional Director.

[F. R. Doc. 52-70; Filed, Jan. 4, 1952; 8:46 a. m.]

Office of the Secretary

EVERGLADES NATIONAL PARK, FLORIDA

ACCEPTANCE BY SECRETARY OF EXCLUSIVE JURISDITION OVER AREA

Take notice that effective as of the first day of December 1951, at 12 m., e. s. t., the United States accepted exclusive jurisdiction over all lands, submerged lands and waters included in the Everglades National Park, State of Florida. Acceptance of such jurisdiction was effected by notifying the Governor of the State of Florida thereof through a letter reading as follows:

NOVEMBER 21, 1951.

MY DEAR GOVERNOR WARREN:

Through the generous gift of land and funds by the State of Florida, the United States has acquired under the authority of the acts of May 30, 1934 (48 Stat. 816), and December 6, 1944 (58 Stat. 794; 16 U. S. C., 1946 ed., sec. 410, et seq.), as supplemented by the act of October 10, 1949 (63 Stat. 733; 16 U. S. C., 1946 ed., Supp. IV, sec. 410 (e), et seq.), 1,228,488 acres, more or less, of land, submerged land, and waters in Dade and Monroe Counties, Florida, for use in connection with the establishment of the Everglades National Park. The land, submerged land, and waters so acquired by the United States are described in the deeds and the condemnation proceeding listed in the attached schedule marked "Exhibit A," which shows the names of the grantors, the title of the condemnation proceeding, the dates of the deeds and the judgment vesting title in the United States, and the place of recordation of the instruments in the county records.

Notice is hereby given, in accordance with the provisions of the act of October 9, 1940 (54 Stat. 1083; 40 U. S. C., 1946 ed., sec. 255), that effective as of the first day of December 1951, at 12 m., e. s. t., the United States accepts exclusive jurisdiction over all lands, submerged lands, and waters now included in the Everglades National Park, as described in the schedule referred to. Exclusive jurisdiction was ceded to the United States by the act of the Legislature of Florida, approved June 4, 1947 (Ch. 23910, Laws 1947; Florida Statutes Annotated, sec. 264.08), and in accordance with the requirements of that act, you are notified that the United States assumes police jurisdiction over the said Park as of the date and time above stated.

It is requested that you endorse the attached duplicate original of this notice of acceptance, indicating the date and time of its receipt, and return it to this Department. There is enclosed for your convenience a self-addressed envelope which requires no postage.

Sincerely yours,

OSCAR CHAPMAN,
Secretary of the Interior.

Received this 26th day of November 1951, at 9 a. m.

FULLER WARREN,
Governor of Florida.

Done at Washington, D. C., this 29th day of December 1951.

R. F. LEE,
Acting Director.

[F. R. Doc. 52-68; Filed, Jan. 4, 1952; 8:46 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER[1] WITHDRAWING PUBLIC LAND FOR USE OF DEPARTMENT OF THE ARMY IN CONNECTION WITH A RADIO RECEIVING STATION

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 52-106; Filed, Jan. 4, 1952; 8:54 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-248]

ACCIDENT OCCURRING AT ELIZABETH, N. J.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N-1678M, which occurred at Elizabeth, New Jersey, on December 16, 1951.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday, January 10, 1952, at 9:30 a. m., e. s. t., in the Elizabeth Carteret Hotel, 1155 East Jersey Street, Elizabeth, New Jersey.

Dated at Washington, D. C., December 28, 1951.

[SEAL] ROBERT W. CHRISP,
Presiding Officer.

[F. R. Doc. 52-99; Filed, Jan. 4, 1952; 8:53 a. m.]

[1] Sec. F. R. Doc. 51-105, Title 43, Chapter I, Appendix, *supra*.

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region II, Redelegation of Authority No. 19]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 25, REVISED

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 2, pursuant to Delegation of Authority No. 42 (16 F. R. 12747), this redelegation of authority is hereby issued.

1. *Authority to act under sections 4 (d), 5 (c) (3), 12, 21 (c), 22, 30 (f) and (g), 32 (b), 33 and 34 of CPR 25, revised.* Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse, and Albany, New York; and the Newark and Trenton, New Jersey, Offices of Price Stabilization to act under sections 4 (d), 5 (c) (3), 12, 21 (c), 22, 30 (f) and (g), 32 (b), 33 and 34 of CPR 25, revised.

This redelegation of authority is effective January 2, 1952.

JAMES G. LYONS,
Director of Regional Office II.

JANUARY 2, 1952.

[F. R. Doc. 52-126; Filed, Jan. 2, 1952; 4:56 p. m.]

[Region II, Redelegation of Authority No. 20]

DIRECTORS OF DISTRICT OFFICES, REGION II

REDELEGATION OF AUTHORITY TO PROCESS APPLICATIONS FOR ADJUSTMENT FILED BY MANUFACTURERS HAVING YEARLY SALES VOLUME OF $250,000 OR LESS, UNDER GOR 10

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 2, pursuant to Delegation of Authority No. 43 (16 F. R. 12747) this redelegation of authority is hereby issued.

1. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse, and Albany, New York; and the Newark and Trenton, New Jersey, Offices of Price Stabilization to process and act on applications for adjustments, filed by manufacturers having a yearly sales volume of $250,000 or less, under GOR 10.

2. *Authority to act under GOR 10.* Authority is hereby redelegated to the Directors of the New York City, Buffalo, Rochester, Syracuse, and Albany, New York; and the Newark and Trenton, New Jersey, Offices of Price Stabilization to process and act on all applications for adjustments filed under GOR 10 by manufacturers having a yearly sales volume exceeding $250,000, where the applications have been referred to the District Offices by the Regional Office.

This redelegation of authority is effective January 2, 1952.

JAMES G. LYONS,
Director of Regional Office II.

JANUARY 2, 1952.

[F. R. Doc. 52-127; Filed, Jan. 2, 1952; 4:56 p. m.]

[Region III, Redelegation of Authority No. 16]

DIRECTORS OF DISTRICT OFFICES, REGION III

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR EXEMPTION FILED BY NON-PROFIT CLUBS UNDER THE PROVISIONS OF CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 3, pursuant to Delegation of Authority No. 34 (16 F. R. 11979) this redelegation of authority is hereby issued.

1. *Authority to act under section 9 (e), of CPR 11.* Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh and Erie, Pennsylvania, Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization to act on all applications for exemption under the provisions of section 9 (e) of CPR 11.

This redelegation of authority shall take effect as of December 12, 1951.

JOSEPH J. MCBRYAN,
Director of Regional Office III.

JANUARY 2, 1952.

[F. R. Doc. 52-128; Filed, Jan. 2, 1952; 4:56 p. m.]

[Region III, Redelegation of Authority No. 17]

DIRECTORS OF DISTRICT OFFICES, REGION III

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN ITEMS OF SAUSAGE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 3, pursuant to Delegation of Authority No. 35 (16 F. R. 12025) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization, to request further information, pursuant to section 9 of Revised Supplementary Regulation 34, with respect to any ceiling price granted, reported or proposed pursuant to Supplementary Regulation 34, issued June 12, 1951, or to Revised Supplementary Regulation 34 and at any time to disapprove or revise, pursuant to section 9 of Revised Supplementary Regulation 34, any such granted, reported or proposed ceiling price in order to bring it in line with the general level of prices prevailing under Revised Supplementary Regulation 34. The authority hereby redelegated is to be exercised concurrently with the Regional Office.

This redelegation of authority shall take effect as of December 12, 1951.

JOSEPH J. MCBRYAN,
Director of Regional Office III.

JANUARY 2, 1952.

[F. R. Doc. 52-129; Filed, Jan. 2, 1952; 4:56 p. m.]

[Region III, Redelegation of Authority No. 18]

DIRECTORS OF DISTRICT OFFICES, REGION III

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTED CEILING PRICES UNDER GENERAL OVERRIDING REGULATION NO. 20

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 3, pursuant to Delegation of Authority No. 36 (16 F. R. 12025) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization:

(a) To request further information from an applicant or grant or deny an application for adjusted ceiling prices, made pursuant to GOR 20;

(b) To request further information from an applicant who has requested, pursuant to section 8 of GOR 20 permission to use different calendar periods from those stipulated in the regulation for determining his cost ratios or to disapprove the periods suggested or stipulate the periods which may be used;

(c) To request further information from an applicant, or to approve or disapprove proposed adjusted ceiling prices to particular classes of purchasers for which application has been made pursuant to section 10 of GOR 20;

(d) To disapprove, revise or modify ceiling prices proposed to be used or being used under GOR 20, or to direct the applicant to continue using the ceiling prices established for him under the applicable Office of Price Stabilization regulation until further notice.

This redelegation of authority shall take effect as of December 12, 1951.

JOSEPH J. MCBRYAN,
Director of Regional Office III.

JANUARY 2, 1952.

[F. R. Doc. 52-130; Filed, Jan. 2, 1952; 4:56 p. m.]

[Region III, Redelegation of Authority No. 19]

DIRECTORS OF DISTRICT OFFICES, REGION III

REDELEGATION OF AUTHORITY TO ACT ON PRICING AND REPORTS—CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 3, pursuant to Delegation of Authority No. 28 (16 F. R. 11703) this redelegation of authority is hereby issued.

1. *Authority under section 3 (b) of CPR 34, as amended.* Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh, and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization, to accept the reports correcting purely arithmetical errors under the provisions of section 3 (b) of CPR 34, as amended.

2. *Authority to act under sections 6, 7 and 8 of CPR 34, as amended.* Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh, and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization, to accept reports, establish, approve or disapprove ceiling prices or to require further information under the provisions of sections 6, 7 and 8 of CPR 34, as amended.

3. *Authority to act under section 9 of CPR 34, as amended.* Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh, and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization, to disapprove or to revise proposed or established ceiling prices under the provisions of section 9 of CPR 34, as amended.

4. *Authority to act under sections 18 (b) and 18 (c) of CPR 34, as amended.* Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh, and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization, to require further information or to disapprove of statements filed under the provisions of sections 18 (b) and 18 (c) of CPR 34, as amended.

5. *Authority to act under section 19 (b) of CPR 34, as amended.* Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh, and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization to establish ceiling prices under section 19 (b) of CPR 34, as amended.

This redelegation of authority shall take effect as of December 12, 1951.

JOSEPH J. MCBRYAN,
Director of Regional Office III.

JANUARY 2, 1952.

[F. R. Doc. 52-131; Filed, Jan. 2, 1952; 4:57 p. m.]

[Region III, Redelegation of Authority No. 20]

DIRECTORS OF DISTRICT OFFICES, REGION III

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 3, pursuant to Delegation of Authority No. 32 (16 F. R. 11891), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Philadelphia, Pittsburgh, and Erie, Pennsylvania; Wilmington, Delaware; and Camden, New Jersey, Offices of Price Stabilization to act under sections 12, 43 (a) and (b), 44 (a)

and (b), 45 (a) and (b), 46, 47, 49, 50 and 60 (c) of CPR 74.

This redelegation of authority shall take effect as of December 14, 1951.

JOSEPH J. McBRYAN,
Director of Regional Office III.

JANUARY 2, 1952.

[F. R. Doc. 52-132; Filed, Jan. 2, 1952; 4:57 p. m.]

[Region III, Redelegation of Authority No. 21]

DIRECTORS OF DISTRICT OFFICES, REGION III

REDELEGATION OF AUTHORITY TO ISSUE AREA MILK PRICE REGULATIONS AND TO PERFORM OTHER FUNCTIONS UNDER SUPPLEMENTARY REGULATION NO. 63 TO THE GENERAL CEILING PRICE REGULATION

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 3, pursuant to Delegation of Authority No. 41 (16 F. R. 12679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region 3 to issue area milk price regulations adjusting ceiling prices in accordance with the provisions of Supplementary Regulation No. 63 to the General Ceiling Price Regulation, if the entire milk marketing area or the major part thereof is located in the district of the Office of Price Stabilization of which he is Director.

2. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region 3 to perform all other functions provided for in Supplementary Regulation No. 63 to the General Ceiling Price Regulation.

This redelegation of authority shall take effect as of December 18, 1951.

JOSEPH J. McBRYAN,
Director of Regional Office III.

JANUARY 2, 1952.

[F. R. Doc. 52-133; Filed, Jan. 2, 1952; 4:57 p. m.]

[Region IV, Redelegation of Authority No. 8]

DIRECTOR OF DISTRICT OFFICES, REGION IV

REDELEGATION OF AUTHORITY TO ISSUE AREA MILK PRICE REGULATIONS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization No. IV, pursuant to Delegation of Authority No. 41 (16 F. R. 12679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region IV to issue area milk price regulations adjusting ceiling prices in accordance with the provisions of section 17 of Supplementary Regulation 63 to the General Ceiling Price Regulation within his district and to perform all other functions delegated to me by Delegation of Authority 41.

This redelegation shall take effect as of December 21, 1951.

W. F. BAILEY,
Regional Director of Region IV.

JANUARY 2, 1952.

[F. R. Doc. 52-134; Filed, Jan. 2, 1952; 4:57 p. m.]

[Region V, Redelegation of Authority No. 8]

DIRECTORS OF DISTRICT OFFICES, REGION V

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTED CEILING PRICES UNDER GENERAL OVERRIDING REGULATION 20

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, No. 5, pursuant to Delegation of Authority 36, (16 F. R. 12025) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the Directors of the Atlanta, Georgia; Birmingham, Alabama; Columbia, South Carolina; Jackson, Mississippi; Jacksonville, Florida; Memphis, Tennessee; Miami, Florida; Montgomery, Alabama; Nashville, Tennessee and Savannah, Georgia District Offices of the Office of Price Stabilization as follows:

1. To request further information from an applicant or grant or deny an application for adjusted ceiling prices, made pursuant to General Overriding Regulation 20;

2. To request further information from an applicant who has requested, pursuant to section 8 of General Overriding Regulation 20, permission to use different calendar periods from those stipulated in the regulation for determining his cost ratios or to disapprove the periods suggested or stipulate the periods which may be used;

3. To request further information from an applicant or to approve or disapprove proposed adjusted ceiling prices to particular classes of purchasers for which application has been made, pursuant to section 10 of General Overriding Regulation 20;

4. To disapprove, revise or modify ceiling prices proposed to be used or being used under General Overriding Regulation 20, or to direct the applicant to continue using the ceiling prices established for him under the applicable Office of Price Stabilization regulation until further notice.

This redelegation of authority is effective as of December 15, 1951.

GEORGE D. PATTERSON, Jr.,
Director of Regional Office V.

JANUARY 2, 1952.

[F. R. Doc. 52-135; Filed, Jan. 2, 1952; 4:57 p. m.]

[Region VII, Redelegation of Authority No. 9]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO MAKE ADJUSTMENTS UNDER THE PROVISIONS OF SR 39 TO THE GCPR

By virtue of the authority vested in me as Director of the Regional Office of Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority No. 25, dated November 7, 1951 (16 F. R. 11406), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VII:

(a) To deny applications for adjustments of ceiling rates or charges made in accordance with the provisions of Supplementary Regulation 39 to the General Ceiling Price Regulation, relating to intrastate operations; and

(b) To make adjustments of ceiling rates or charges in accordance with the provisions of Supplementary Regulation 39 to the General Ceiling Price Regulation, relating to intrastate operations.

This redelegation of authority is effective January 2, 1952.

MICHAEL J. HOWLETT,
Director of Regional Office VII.

JANUARY 2, 1952.

[F. R. Doc. 52-136; Filed, Jan. 2, 1952; 4:53 p. m.]

[Region VII, Redelegation of Authority No. 10]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO ACT ON PRICING, AND REPORTS UNDER THE PROVISIONS OF CPR 34

By virtue of the authority vested in me as Director of the Regional Office of Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority No. 28, dated November 16, 1951 (16 F. R. 11703), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VII:

(a) To accept reports correcting purely arithmetical errors under the provisions of section 3 (b) of Ceiling Price Regulation 34, as amended;

(b) To accept reports, established, approve or disapprove ceiling prices or to require further information under the provisions of sections 6, 7, and 8 of Ceiling Price Regulation 34, as amended;

(c) To disapprove or to revise proposed or established ceiling prices under the provisions of section 9 of Ceiling Price Regulation 34, as amended;

(d) To require further information or to disapprove of statements filed under the provisions of sections 18 (b) and 18 (c) of Ceiling Price Regulation 34, as amended; and

(e) To establish ceiling prices under section 19 (b) of Ceiling Price Regulation 34, as amended.

This redelegation of authority is effective January 2, 1952.

MICHAEL J. HOWLETT,
Director of Regional Office VII.

JANUARY 2, 1952.

[F. R. Doc. 52-137; Filed, Jan. 2, 1952; 4:53 p. m.]

[Region VII, Redelegation of Authority No. 11]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO MODIFY, REVISE OR REQUEST FURTHER INFORMATION CONCERNING APPLICATIONS FILED UNDER THE PROVISIONS OF SECTION 14 (C) OF CEILING PRICE REGULATION 74

By virtue of the authority vested in me as Director of the Regional Office of Office of Price Stabilization, Region VII, pursuant to the provisions of Delegation of Authority No. 31, dated November 19, 1951 (16 F. R. 11752), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VII, to modify, revise, or request further information concerning applications filed pursuant to section 14 (c) of Ceiling Price Regulation 74.

This redelegation of authority is effective January 2, 1952.

MICHAEL J. HOWLETT,
Director of Regional Office VII.

JANUARY 2, 1952.

[F. R. Doc. 52-139; Filed, Jan. 2, 1952; 4:58 p. m.]

[Region VII, Redelegation of Authority No. 12]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO REDUCE APPENDIX E MARKUPS UNDER CPR 7

By virtue of the authority vested in me as Director of the Regional Office, Office of Price Stabilization, Region VII, pursuant to the provisions of Amendment 1 to Delegation of Authority No. 5, dated October 31, 1951 (16 F. R. 11128), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VII, to reduce, by order, in accordance with section 39 (a) (3) of Ceiling Price Regulation 7, markups of sellers using Appendix E markups to bring their markups into line with markups for sellers of the same class.

This redelegation of authority is effective January 2, 1952.

MICHAEL J. HOWLETT,
Director of Regional Office VII.

JANUARY 2, 1952.

[F. R. Doc. 52-139; Filed, Jan. 2, 1952; 4:58 p. m.]

[Region VII, Redelegation of Authority No. 13]

DIRECTORS OF DISTRICT OFFICES, REGION VII

REDELEGATION OF AUTHORITY TO ISSUE AREA MILK PRICE REGULATIONS

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization No. VII, pursuant to Delegation of Authority No. 41 (16 F. R. 12679), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to each of the District Directors of the Office of Price Stabilization in Region VII to issue area milk price regulations adjusting ceiling prices in accordance with the provisions of section 17 of Supplementary Regulation 63 to the General Ceiling Price Regulation within his district and to perform all other functions delegated to me by Delegation of Authority 41.

This redelegation shall take effect January 2, 1952.

MICHAEL J. HOWLETT,
Regional Director of Region VII.

JANUARY 2, 1952.

[F. R. Doc. 52-140; Filed, Jan. 2, 1952; 4:58 p. m.]

[Region XII, Redelegation of Authority No. 11]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT UNDER CPR 74 AND TO MODIFY, REVISE OR REQUEST FURTHER INFORMATION CONCERNING APPLICATIONS UNDER THE PROVISIONS OF SECTION 14 (C) OF CPR 74

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 31 (16 F. R. 11752) and Delegation of Authority No. 32 (16 F. R. 11891), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to act under section 12, 43 (a) and (b), 44 (a) and (b), 45 (a) and (b), 46 47, 49, 50, and 60 (c) of Ceiling Price Regulation 74.

2. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII, to modify, revise, or request further information concerning applications filed pursuant to section 14 (c) of CPR 74.

This redelegation of authority shall take effect as of December 10, 1951.

JOHN H. TOLAN, Jr.,
Director of Regional Office XII.

JANUARY 2, 1952.

[F. R. Doc. 52-141; Filed, Jan. 2, 1952; 4:59 p. m.]

[Region XII, Redelegation of Authority No. 13]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO PROCESS INITIAL REPORTS FILED BY CERTAIN RESTAURANT OPERATORS UNDER CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 17 (16 F. R. 8158), this redelegation of authority is hereby issued.

1. *Authority to act under section 6 of CPR 11.* Authority is hereby redelegated to the Directors of the Los Angeles, San Francisco, Phoenix, San Diego, Fresno, Reno and Sacramento Offices of Price Stabilization to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sale ratio referred to in section 4 thereof.

This redelegation of authority shall take effect as of December 10, 1951.

JOHN H. TOLAN, Jr.,
Director of Regional Office XII.

JANUARY 2, 1952.

[F. R. Doc. 52-142; Filed, Jan. 2, 1952; 4:59 p. m.]

[Region XII, Redelegation of Authority No. 14]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 14 (16 F. R. 7431), this redelegation of authority is hereby issued.

1. *Authority to act under GCPR, SR 45.* Authority is hereby redelegated to the District Offices of the Office of Price Stabilization, Region XII, to act on all applications for adjustment under the provisions of sections 1-6 inclusive of GCPR, SR 45, as amended.

This redelegation of authority shall take effect as of December 17, 1951.

JOHN H. TOLAN, Jr.,
Director of Regional Office XII.

JANUARY 2, 1952.

[F. R. Doc. 52-143; Filed, Jan. 2, 1952; 4:59 p. m.]

[Region XII, Redelegation of Authority No. 15]

DIRECTORS OF DISTRICT OFFICES, REGION XII

REDELEGATION OF AUTHORITY TO MAKE ADJUSTMENTS UNDER SUPPLEMENTARY REGULATION 39 TO THE GENERAL CEILING PRICE REGULATION

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. XII, pursuant to Delegation of Authority No. 25 (16 F. R. 11406), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region XII:

(a) To deny applications for adjustments of ceiling rates or charges made in accordance with the provisions of Supplementary Regulation 39 to the General Ceiling Price Regulation relating to intrastate operations;

(b) To make adjustments of ceiling rates or charges in accordance with the provisions of Supplementary Regulation

39 to the General Ceiling Price Regulation relating to intrastate operations.

This redelegation of authority shall take effect as of December 17, 1951.

JOHN H. TOLAN, Jr.,
Director of Regional Office XII.

JANUARY 2, 1952.

[F. R. Doc. 52-144; Filed, Jan. 2, 1952; 4:59 p. m.]

[Region XIII, Redelegation of Authority No. 6]

DIRECTORS OF DISTRICT OFFICES, REGION XIII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATION FOR EXEMPTION FILED BY NONPROFIT CLUBS UNDER THE PROVISIONS OF CEILING PRICE REGULATIONS 11

By virtue of the authority vested in me as Acting Director of the Regional Office of Price Stabilization, No. XIII, pursuant to delegation of authority No. 34 (16 F. R. 11979) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boise, Portland, Seattle and Spokane District Offices of Price Stabilization to act on all applications for exemption under the provisions of section 9 (e) of Ceiling Price Regulation 11.

This redelegation of authority shall be effective as of December 20, 1951.

JOHN L. SALTER,
Acting Regional Director,
Office of Price Stabilization,
Region XIII.

JANUARY 2, 1952.

[F. R. Doc. 52-145; Filed, Jan. 2, 1952; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 715, Amdt. 1]

NEWLAND, SCHNEELOCK & PICK, INC.

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to Special Order 715 under section 43 of Ceiling Price Regulation 7 modifies those provisions relating to pre-ticketing usually required by order of this type. This amendment, designed to meet the particular requirements of the dinnerware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

3. On and after 30 days after the effective date of this special order Newland, Schneeloch & Pick, Inc. must furnish each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for Newland, Schneeloch & Pick, Inc. dinnerware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Newland, Schneeloch & Pick, Inc., price book have been approved by the OPS under Section 43, CPR 7.

The tags and stickers must be in the following form:

Newland, Schneeloch & Pick, Inc.
OPS—Sec. 43—CPR 7
Price $--------

Prior to 60 days after the effective date of this special order, unless the retailer has received the sign described above and has it displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order. On and after 60 days after the effective date of this special order no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is offered for sale on open display (except in show windows or decorative displays) a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must, within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order."

Effective date. This amendment shall become effective December 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15448; Filed, Dec. 28, 1951; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 108, Amdt. 2]

BURLINGTON MILLS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 108, under section 43 of Ceiling Price Regulation 7, issued on June 28, 1951, established ceiling prices for sales at retail of women's hosiery, manufactured by Burlington Mills Corporation, having the brand name "Bur-Mil Cameo."

This amendment adds women's hosiery having the brand name "Bur-Mil Ballet" to the operation of the special order. In addition, this amendment reduces the manufacturer's selling prices and the corresponding ceiling prices at retail for certain of the manufacturer's branded articles.

Amendatory provisions. Special Order 108, under section 43 of Ceiling Price Regulation 7, is amended in the following respects:

1. In paragraph 1, after the words "Bur-Mil Cameo," insert the words "Bur-Mil Ballet."

2. In paragraph 1, after the date, "April 17, 1951," insert the phrase "as supplemented and amended by its applications dated September 14, 1951, and October 19, 1951."

Effective date. This amendment shall become effective December 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15444; Filed, Dec. 28, 1951; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 455, Amdt. 1]

CONSOLIDATED TRIMMING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 455 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 2 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 455 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 2 of the special order and substitute therefor the following:

2. *Retail ceiling prices for listed articles.* The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of drapery tape manufactured

or distributed by Consolidated Trimming Corporation having the brand names "Simpleat", "Drawpleat" and "Typleat", and described in the suppliers application dated July 6, 1951, as supplemented and amended by the suppliers applications dated August 1, 1951, October 11, 1951, and October 12, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2/10 E. O. M.

SIMPLEAT

Selling price to retailers (per C yards):	*Ceiling price at retail (per yard)*
$8.25	$0.15
$10.50	.20
$12.75	.25

DRAWPLEAT

$9.00	$0.19
$12.00	.25

TYPLEAT

Per box:	*Per box*
$0.35	*$0.69
$0.45	*.89

2. In paragraph 7 of the special order delete sub-paragraph (a) and substitute therefor the following:

(a) *Sending order to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

3. In paragraph 7 of the special order delete sub-paragraph (b) and substitute therefor the following:

(b) *Notification to new customers.* A copy of this special order shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

4. In paragraph 7 of the special order delete sub-paragraph (d).

5. Delete paragraph 8 and insert the word "Deleted" after the paragraph designation "8".

Effective date. This amendment shall become effective December 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15445; Filed, Dec. 28, 1951; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 641, Amdt. 1]

M. SELLER CO.

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to Special Order 641 under section 43, of Ceiling Price Regulation 7 modifies those provisions relating to preticketing usually required by orders of this type. This amendment, designed to meet the particular requirements of the dinnerware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

3. On and after 30 days after the effective date of this special order M. Seller Co. must furnish each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler has delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for Homer Laughlin China Co. have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Homer Laughlin China Co. price book have been approved by the OPS under Section 43, CPR 7.

The tags and stickers must be in the following form:

The Homer Laughlin China Co.
OPS—Sec. 43—CPR 7
Price $_____

Prior to 60 days after the effective date of this special order, unless the retailer has received the sign described above and has it displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order. On and after 60 days after the effective date of this special order, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is offered for sale on open display (except in show windows or decorative displays) a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must, within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective December 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15446; Filed, Dec. 28, 1951; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 705, Amdt. 1]

REVERE COPPER AND BRASS INC., ROME MANUFACTURING COMPANY DIVISION

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 705 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 705 under Ceiling Price Regulation 7, Section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of kitchen utensils manufactured or distributed by the Revere Copper and Brass Incorporated, Rome Manufacturing Company Division, having the brand name "Revere Ware" and described in the manufacturer's application dated August 10, 1951, and supplemented and amended by the manufacturer's applications dated September 12, 1951, October 18, 1951, November 12, 1951 and November 29, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

Catalog No.:	Ceiling price at retail (per unit)
1720	$2.00
901	*2.00
1515	2.25
1721	2.50
902	*2.50
904	*3.50
1401	3.75
2201	4.25
1446	4.50
2501	4.75
2701	*4.75
1401½	4.95
1402	------
3201	5.50
1448	5.75
1440	6.00
1403	6.35
1424	------
1450	7.00
1434	------
1722	7.50
1441½	7.75
1488	8.00
1516	8.25
1426	8.50
1452	8.95
1436	------
1442	9.00
1518	9.25
1428	9.50
1438	9.95
1585	10.50
1598	11.50
X-20 (7-piece set)	*15.20

2. Delete paragraph 3 of the special order and substitute therefor the following:

3. *Notification to resellers.*—(a) *Notices to be given by Applicant.* (1) After receipt of this special order, a copy of this special order shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner.

(4) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order and any amendment to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order, each purchaser for resale (other than retailers) shall send a copy of the order to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner.

Effective date. This amendment shall become effective December 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 28, 1951.

[F. R. Doc. 51-15447; Filed, Dec. 28, 1951; 4:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 763]

ILLINOIS WATCH CASE CO.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Illinois Watch Case Co., 853 Dundee Avenue, Elgin, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail and wholesale sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail and wholesale of compacts, cigarette cases, powder jars, jewel boxes, humidors, pill boxes, vanity kits, compact and cigarette case ensembles, military sets, dresser sets, watch vanities, billfold and vanity case ensembles, children's sets, mirrors, cream jars, picture frames, perfume bottles, trays, atomizers, baby sets, nail files, shoe horns, pearl necklaces, earrings, bracelets, chokers, dog collars and ropes sold through retailers and wholesalers and having the brand name(s) "Elgin American", "American Beauty" and "Elgin American-Pearls" shall be the proposed retail and wholesale ceiling prices listed by Illinois Watch Case Co., 853 Dundee Avenue, Elgin, Illinois, hereinafter referred to as the "applicant" in its application dated June 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in applicant's applications dated September 25, 1951, and October 9, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than February 27, 1952, no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after February 27, 1952, Illinois Watch Case Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after March 28, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to March 28, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretickeling requirements of this paragraph within 60 days after the effective date of the amendment. After 90 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 90-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2

months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price and corresponding wholesale ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)	(Column 3)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1	Wholesaler's ceiling price for articles listed in column 1
----------	$----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in sub-paragraph 3 (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective December 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 29, 1951.

[F. R. Doc. 51-15504; Filed, Dec. 29, 1951; 4:43 p. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6399]

PACIFIC POWER AND LIGHT CO.

NOTICE OF APPLICATION

DECEMBER 29, 1951.

Take notice that on December 21, 1951, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Pacific Power and Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Oregon and Washington, with its principal business office at Portland, Oregon, seeking an order authorizing the issuance of 200,000 shares of its authorized but unissued Common Stock without par value. Applicant requests an exemption covering the sale of the Common Stock from the competitive bidding requirements of § 34.1a (b) and (c) of the Commission's regulations; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 16th day of January 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 52-71; Filed, Jan. 4, 1952; 8:46 a. m.]

[Docket No. E-6400]

PACIFIC POWER AND LIGHT CO.

NOTICE OF APPLICATION

DECEMBER 29, 1951.

Take notice that on December 21, 1951, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Pacific Power and Light Company, a corporation organized under the laws of the State of Maine and doing business in the States of Oregon and Washington, with its principal business office at Portland, Oregon, seeking an order authorizing the issuance of $12,500,000 in aggregate principal amount of its First Mortgage Bonds, __ percent Series, due 1982.

Applicant proposes to issue said bonds to institutional investors and requests an exemption from the competitive bidding requirements of § 34.1a (b) and (c) of the Commission's regulations; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application, should, on or before the 16th day of January 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 52-72; Filed, Jan. 4, 1952; 8:46 a. m.]

__ . [Docket No. E-6401]

CAROLINA POWER AND LIGHT CO. AND TIDE WATER POWER CO.

NOTICE OF APPLICATION

DECEMBER 29, 1951.

Take notice that on December 21, 1951, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Carolina Power and Light Company (hereinafter called "Carolina") and Tide Water Power Company (hereinafter called "Tide Water"), seeking an order authorizing and approving the statutory merger of Tide Water into Carolina. Carolina is a corporation, organized under the laws of the State of North Carolina and doing business in the States of North Carolina and South Carolina, with its principal business office at Raleigh, North Carolina. Tide Water is a corporation organized under the laws of the State of North Carolina and doing business in such State with its principal business office at Wilmington, North Carolina.

Applicants seek approval of the proposed statutory merger of Tide Water into Carolina, Carolina to be the surviving corporation. On the effective date of merger, Tide Water will cease to exist as a corporate entity and Carolina will succeed to all of Tide Water's franchises, permits, corporate assets and tangible and intangible property and will become liable for its debts and obligations.

Applicants propose to convert the Common Stock of Tide Water into Common Stock of Carolina at the rate of 1 1/10 shares of Carolina for each 4 shares of Tide Water held and the conversion of $1.35 Cumulative Preferred Stock of Tide Water into $5 Preferred Stock of Carolina at the rate of one share of Carolina $5 Preferred Stock for each 4 shares of Tide Water $1.35 Cumulative Preferred Stock held, with the option in the holder

of $1.35 Cumulative Preferred Stock to receive, in lieu of Carolina $5 Preferred Stock, cash equivalent to the redemption price of the $1.35 Cumulative Preferred Stock, namely, $28.50 per share, plus accumulated dividends to the date when the Agreement of Merger becomes effective; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 18th day of January 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 52-73; Filed, Jan. 4, 1952; 8:47 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF THE TREASURY

REVOCATION OF DELEGATION OF AUTHORITY WITH RESPECT TO BUILDINGS AND SPACE MANAGEMENT FUNCTIONS BY THE DEPARTMENT OF THE TREASURY UNDER REORGANIZATION PLAN NO. 18 OF 1950

Pursuant to arrangements between officials of the Department of the Treasury and the General Services Administration, the Delegation of Authority dated December 14, 1950 (15 F. R. 9113), to the Secretary of the Treasury to perform functions with respect to acquiring space in buildings by lease for use of the Department of the Treasury, the assignment and reassignment of such space, and the operation, maintenance, and custody thereof hereby is revoked, effective December 31, 1951.

Dated: December 29, 1951.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 52-122; Filed, Jan. 4, 1952; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10023]

DESERT RADIO AND TELECASTING CO.

ORDER CONTINUING HEARING

In re application of Jobe L. Hamman and Melvin Sullivan, d/b as Desert Radio and Telecasting Company, Palm Springs, California, Docket No. 10023, File No. BP-7847, for construction permit.

The Commission having under consideration a petition filed December 19, 1951, by Valradio, Inc., licensee of Radio Station KXO, El Centro, California, and a respondent in the above-entitled proceeding, requesting a continuance for a period of sixty days of the hearing presently scheduled to be held at Washington, D. C., on January 7, 1951; and

It appearing, that there is no opposition to the petition and that good cause for the continuance has been shown;

It is ordered, This 28th day of December 1951, that the hearing be and it is hereby continued to March 3, 1952, at 10 o'clock a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-95; Filed, Jan. 4, 1952; 8:52 a. m.]

[Designation Order 65]

DESIGNATION OF MOTIONS COMMISSIONER

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of December 1951;

It is ordered, Pursuant to section 0.111 of the statement of delegations of authority, that Paul A. Walker, Commissioner, is hereby designated as Motions Commissioner for the month of January 1952.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a substitute Motions Commissioner.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-94; Filed, Jan. 4, 1952; 8:52 a. m.]

[LIST NUMBER 5]

CUBAN NOTIFICATION

NOTIFICATION OF CHANGES IN ASSIGNMENTS OF BROADCASTING STATIONS

NOVEMBER 29, 1951.

Call letters	Location	Power	Antenna	Schedule	Class
		850 kilocycles			
OMKL	Santiago de Cuba, Oriente (previously OMKW)	2	ND	U	II
		1000 kilocycles			
OMKW	Santiago de Cuba, Oriente (previously OMKL)	0.25	ND	U	II

This change in call letters is effective after the first day of the present month.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-93; Filed, Jan. 4, 1952; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26671]

FRESH MEATS AND PACKING HOUSE PRODUCTS FROM INDIANAPOLIS, IND. TO SPECIFIED SOUTHERN POINTS

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4367, pursuant to fourth-section order No. 9800.

Commodities involved: Fresh meats and packing house products, carloads.

From: Indianapolis, Ind.

To: Specified points in Alabama, Florida, Louisiana, Mississippi, and Tennessee.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 52-82; Filed, Jan. 4, 1952; 8:49 a. m.]

[4th Sec. Application 26672]

OLD IRON CANS FROM BATON ROUGE, LA., TO BIRMINGHAM, ALA., AND CHATTANOOGA, TENN.

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 950.

Commodities involved: Old iron cans, refuse from garbage dumps, having value for remelting purposes only, carloads.

From: Baton Rouge, La.

To: Birmingham, Ala., and points grouped therewith, Chattanooga and North Chattanooga, Tenn.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-83; Filed, Jan. 4, 1952; 8:49 a. m.]

[4th Sec. Application 26673]

PAPER ARTICLES FROM CERTAIN POINTS IN TEXAS TO NATCHEZ, MISS.

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent F. C. Kratzmeir's tariff I. C. C. No. 3945.

Commodities involved: Wrapping paper, paper bags, and related articles, pulpboard and fibreboard, carloads.

From: Houston, Tex., and specified points in Texas taking same rates, and Orange, Tex.

To: Natchez, Miss.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-84; Filed, Jan. 4, 1952; 8:49 a. m.]

[4th Sec. Application 26674]

MURIATIC ACID FROM LADORA, COLO., TO SPECIFIED POINTS IN KANSAS

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariffs I. C. C. Nos. A-3600 and A-3748.

Commodities involved: Acid, muriatic (hydrochloric), carloads.

From: Ladora, Colo.

To: Specified points in Kansas.

Grounds for relief: Competition with rail carriers, circuitous routes, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3600, Supp. 127; L. E. Kipp's tariff I. C. C. No. A-3748, Supp. 56.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-85; Filed, Jan. 4, 1952; 8:49 a. m.]

[4th Sec. Application 26675]

PHOSPHATE ROCK FROM POINTS IN FLORIDA TO KNOXVILLE, TENN.

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and Southern Railway Company.

Commodities involved: Phosphate rock, ground or not ground, slush and floats, and soft phosphate, carloads.

From: Points in Florida.

To: Knoxville, Tenn.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: ACL RR. tariff I. C. C. No. B-3232, Supp. 53.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-86; Filed, Jan. 4, 1952; 8:49 a. m.]

[4th Sec. Application 26676]

SODIUM HYPOSULPHITE FROM CHICAGO, ILL., TO BATON ROUGE, LA.

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent R. G. Raasch's tariff I. C. C. No. 699, pursuant to fourth-section order No. 16101.

Commodities involved: Sodium hyposulphite, carloads.

From: Chicago, Ill.

To: Baton Rouge, La.

Grounds for relief: Circuitous routes and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is

found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-87; Filed, Jan. 4, 1952; 8:44 a. m.]

[4th Sec. Application 26677]

SEMI-DISTILLED COAL FROM CHAMPION, PA. TO CERTAIN MID-WESTERN POINTS

APPLICATION FOR RELIEF

JANUARY 2, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Roy S. Kern, Agent, for carriers parties to his tariff I. C. C. No. A-8.

Commodities involved: Semi-distilled coal, carloads.

From: Champion, Pa.

To: Points in Indiana, Illinois, Ohio, southern Wisconsin, and adjacent points.

Grounds for relief: Competition with rail carriers and to maintain grouping.

Schedules filed containing proposed rates: Agent Roy S. Kern's tariff I. C. C. No. A-8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-88; Filed, Jan. 4, 1952; 8:50 a. m.]

[Order No. 30956]

CHICAGO, BURLINGTON & QUINCY RAILROAD CO. ET AL.

INVESTIGATION OF FREIGHT CHARGES ON CARLOAD SHIPMENTS OF GRAIN

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 21st day of December A. D. 1951.

Upon consideration of a joint letter dated November 29, 1951, by various parties interested in buying, selling, and shipping grain in Minnesota and by railroads serving Minnesota and Wisconsin, with respect to grain sold on track at Minneapolis, St. Paul, and Duluth, Minnesota, and Superior, Wisconsin, and subsequently forwarded to points beyond;

It is ordered, That an investigation be and it is hereby instituted for the purpose of determining whether freight charges on carload shipments of grain to Minneapolis, St. Paul, and Duluth, Minnesota, and Superior, Wisconsin, and reshipped, reconsigned, rebilled or reforwarded from those points without unloading to points beyond, are collected in accord with the requirements, (a) of tariffs filed under section 6, and (b) of the credit provisions of section 3 (2), of the Interstate Commerce Act, and rules and regulations with respect thereto prescribed by this Commission;

It is further ordered, That the Chicago, Burlington & Quincy Railroad Company; Chicago Great Western Railway Company; Chicago, Rock Island and Pacific Railroad Company; Chicago, Milwaukee, St. Paul and Pacific Railroad Company; Chicago, Saint Paul, Minneapolis and Omaha Railway Company; Duluth, Missabe and Iron Range Railway Company; Duluth, South Shore and Atlantic Railroad Company; Great Northern Railway Company; Minneapolis Eastern Railway Company; Minneapolis, Northfield and Southern Railway; Minneapolis, St. Paul & Sault Ste. Marie Railroad Company; Minnesota Western Railway Company; The Minneapolis & St. Louis Railway Company; The Minnesota Transfer Railway Company; and Northern Pacific Railway Company, be, and they are hereby, made respondents in this proceeding;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director of the Division of the Federal Register, Washington, D. C.

And it is further ordered, That this matter be assigned for hearing February 4, 1952, 9:30 o'clock a. m., United States standard time, at the United States Court House, Marquette Avenue and Third Street, Minneapolis, Minn., before Examiner Charles B. Gray.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-89; Filed, Jan. 4, 1952; 8:50 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[DMO 6, Amdt. 4]

PROVIDING FOR ADDITIONAL MEMBERSHIP ON THE REGIONAL COMMITTEES ON DEFENSE MOBILIZATION

1. Defense Mobilization Order No. 6, issued by this Office under date of February 9, 1951, creating Interagency Regional Committees on Defense Mobilization, is hereby revised, under Paragraph 1, to provide for full membership on each regional committee for a representative designated by the Administrator of the Small Defense Plants Administration.

This order is to take effect on January 5, 1952.

OFFICE OF DEFENSE MOBILIZATION,
CHARLES E. WILSON,
Director.

[F. R. Doc. 52-161; Filed, Jan. 4, 1952; 8:57 a. m.]

[RC-27; No. 57]

PATUXENT, MD., AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 4, 1952.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Patuxent, Maryland, area. (This area consists of St. Mary's County, Maryland.)

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 52-214; Filed, Jan. 4, 1952; 11:22 a. m.]

[RC-27; No. 149]

GREAT FALLS, MONT., AREA AND MOULTRIE, GA., AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 4, 1952.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the areas designated as

Docket No. 149—Great Falls, Montana, Area. (The area consists of School Districts 1, 5, 8, 9, 10, 17, 24, 25, 29, 48, 50, 52, 71, 72, 73, 74, 85, and 93 including the cities of Great Falls and Belt, all in Cascade County, Montana.)

Docket No. 126—Moultrie, Georgia, Area. (The area consists of Colquitt County in South Central Georgia.)

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of

July 31, 1951, the undersigned jointly determine and certify that the aforementioned areas are critical defense housing areas.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 52-213; Filed, Jan. 4, 1952; 11:22 a. m.]

[RC-27; No. 345]

KNOB NOSTER, MO., AREA

DETERMINATION AND CERTIFICATION OF A CRITICAL DEFENSE HOUSING AREA

JANUARY 4, 1952.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Knob Noster (Sedalia Air Force Base), Missouri, Area. (This area consists of Johnson and Pettis Counties, Missouri.)

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

WILLIAM C. FOSTER,
Acting Secretary of Defense.
C. E. WILSON,
Director of Defense Mobilization.

[F. R. Doc. 52-215; Filed, Jan. 4, 1952; 11:22 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 59-32]

GENERAL PUBLIC UTILITIES CORP.

ORDER REQUIRING DIVESTITURE OF CERTAIN PROPERTIES

DECEMBER 28, 1951.

The Commission having, on September 4, 1941, instituted a proceeding with respect to Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, a registered holding company, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 ("act"); and

The Commission having, on August 13, 1942, issued its findings and opinion and order in which it directed Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, to dispose of their interest in certain named companies and also ordered that jurisdiction be reserved with respect to all issues not disposed of in said order; and

Denis J. Driscoll and Willard L. Thorp having been discharged as trustees of Associated Gas and Electric Corporation; and

Associated Gas and Electric Corporation having been merged into Associated Gas and Electric Company, a registered holding company, and the name of the latter company having been changed to General Public Utilities Corporation ("GPU"); and

The companies presently comprising the holding company system of GPU, the corporate relationship (each holding company owning 100 percent of the voting securities of its subsidiary company), the State or country of incorporation, and the nature of the business of each company, being as follows:

General Public Utilities Corp. (N. Y.) (registered holding company).
- Associated Electric Co. (Del.) (registered holding company).
  - Escudero Electric Service Co. (Philippines) (electric).
  - Manila Electric Service Co. (Philippines) (electric).
- Pennsylvania Electric Co. (Pa.) (electric-steam heat).
  - Blair Fuel Co. (Pa.) (coal mining).
  - Nineveh Water Company (Pa.) (water).
- Dover Casualty Insurance Co. (Del.) (casualty re-insurance).
- Employees Welfare Association, Incorporated (Del.) (employees' life insurance service).
- Employees Welfare Association, Inc. (N. J.) (employees' pension service).
- Jersey Central Power & Light Co. (N. J.) (electric-gas).
- Metropolitan Edison Co. (Pa.) (electric-steam heat).
- New Jersey Power & Light Co. (N. J.) (electric).
- Northern Pennsylvania Power Company (Pa.) (electric-steam heat).
- Waverly Electric Light and Power Company, The (N. Y.) (electric).

On August 13, 1942, the Commission having ordered the predecessors of GPU to dispose of their interest in Escudero Electric Service Company and Manila Electric Company (in addition to other companies since disposed of pursuant to such order); and

On February 9, 1945, the Commission having modified its order of August 13, 1942, by removing Escudero Electric Service Company and Manila Electric Company from the list of companies required to be divested by the predecessor of GPU, subject, however, to the condition that said order might be reinstated by the Commission upon notice and opportunity for hearing, which hearing was to be confined to the appropriateness of the time of such reinstatement in relation to the status of the rehabilitation of the properties of said companies upon release of the Philippine Islands from enemy occupation; and

A public hearing having been held after appropriate notice, and the Commission having considered the record, and having made and filed its Findings and Opinion herein:

It is hereby ordered, Pursuant to section 11 (b) (1) of the act, that General Public Utilities Corporation, a registered holding company, shall dispose of its interest, direct or indirect, in any appropriate manner not in contravention of the applicable provisions of the act, or the rules and regulations thereunder, in

1. Northern Pennsylvania Power Company and its subsidiary, The Waverly Electric Light and Power Company.
2. The gas properties (including production, transmission, and distribution facilities) of Jersey Central Power & Light Company.
3. The steam heating properties located at Clearfield, Pennsylvania, of Pennsylvania Electric Company.
4. The life insurance business of Employees Welfare Association, Incorporated (of Delaware) in so far as it relates to persons other than employees or officials of companies in the GPU holding company system.

It is further ordered, That the order of February 9, 1945, removing Escudero Electric Service Company and Manila Electric Company from the list of companies required to be divested is hereby annulled and cancelled and the order of August 13, 1942, in so far as it relates to those two companies be, and hereby is, reinstated.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-77; Filed, Jan. 4, 1952; 8:47 a. m.]

[File No. 71-17]

CENTRAL POWER AND LIGHT CO.

NOTICE OF FILING OF ORIGINAL COST STUDIES AND OF PROPOSALS FOR THE DISPOSITION OF ADJUSTMENTS RELATING TO ELECTRIC, GAS, WATER, ICE, AND OTHER UTILITY PLANT

DECEMBER 29, 1951.

Notice is hereby given that Central Power and Light Company ("Central") has filed studies and amendments thereto relative to the original cost and reclassification of the company's electric, gas, water, ice, and other utility plant accounts as of June 30, 1941. The studies filed include proposals for the disposition of certain adjustments relating to the company's electric, water and other utility plant accounts. Central is a public utility subsidiary of Central and South West Corporation, a registered holding company. The studies, and amendments thereto, were filed pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 15 and 20 (b) thereof and Rule U-27 thereunder.

Notice is further given that any interested person may, not later than January 18, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by said proposals intended to be controverted, or may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 18, 1952, the Commission may take such action as may be deemed appropriate with respect to the matters to which the filing herein relates.

All interested persons are referred to said studies which are on file in the offices of the Commission for a statement of the

transactions therein proposed, which may be summarized as follows:

On October 23, 1944, Central initially filed original cost and reclassification studies of the company's plant accounts as of June 30, 1941. The studies were filed in accordance with Plant Instruction 2-D of the Uniform System of Accounts prescribed by the Federal Power Commission for electric utilities, which system of accounts is applicable to Central by virtue of this Commission's Rule U-27, promulgated under the act.

In said studies Central represented that $1,291,251.56 had been reclassified to Account 100.5—Electric Plant Acquisition Adjustments, $802,552.94 to Account 108.15—Water Plant Acquisition Adjustments and $89,028.92 to Account 108.25—Ice Plant Acquisition Adjustments.

The staff of the Commission made a field examination and filed its report in connection therewith. Copies of the staff's report were submitted to the company. Central has amended its studies to give effect to the recommendations contained in the staff's report and now proposes to classify $1,045,661.65 in Account 100.5—Electric Plant Acquisition Adjustments, $984,779.19 in Account 107—Electric Plant Adjustments, $333,974.02 in Account 108.15—Water Plant Acquisition Adjustments, $137,790.02 in Account 108.17—Water Plant Adjustments, and $1,473.22 in Account 108.47—Other Utility Plant Adjustments.

Subsequent to June 30, 1941, Central sold all of its water properties and all items pertaining to water plant, including adjustments pertaining thereto, have been removed from its books. Central now proposes the disposition of the amount of $1,045,661.65 remaining in Account 100.5—Electric Plant Acquisition Adjustments by immediately establishing an amount of $367,500 in Account 252—Reserve for Amortization of Electric Plant Acquisition Adjustments, which amount represents the total voluntarily amortized by the company from January 1, 1947, up until September 30, 1951, through charges to income, and to continue such amortization at the rate of $78,000 annually until the amount accumulated in Account 252 shall equal the amount remaining in Account 100.5. Such amortization shall be accomplished by monthly or annual charges to Account 537—Income Deductions in the total annual amount of $78,000 or 1/12 thereof if charged monthly, with concurrent credits in an equal amount to Account 252. The above-mentioned amortization is to be retroactive to October 1, 1951.

Central further proposes to dispose of the remaining amounts of $984,779.19 in Account 107—Electric Plant Adjustments and $1,473.22 in Account 108.47—Other Utility Plant Adjustments, by charging $942,662.00 to Account 250—Reserve for Depreciation and the balance of $43,590.41 to Account 271—Earned Surplus.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 52-79; Filed, Jan. 4, 1952; 8:48 a. m.]

No. 4——7

[File No. 811-263]

INSURANCE INVESTORS FUND, INC. AND INSURANCE INVESTORS FUND

NOTICE OF APPLICATION

DECEMBER 29, 1951.

Notice is hereby given that Insurance Investors Fund, Inc., the Depositor of Insurance Investors Fund, a registered investment company, has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that Insurance Investors Fund has ceased to be an investment company within the meaning of the act.

It appears from the above application that the certificate holders of Insurance Investors Fund voted on April 5, 1951 to liquidate, pursuant to the provisions of the Amended Trust Agreement, dated January 12, 1943, as further amended. The Trust Agreement was executed by the Applicant, Insurance Investors Fund, Inc., as Depositor, and Title Insurance and Guaranty Company, of San Francisco, California, as Trustee. As of April 5, 1951, there were outstanding only 159 certificates of the Fund, represented by 236,802 investment units, as defined in the Trust Agreement; and as of that date the assets of Insurance Investors Fund consisted of cash and securities.

After April 5, 1951, the Trustee proceeded to convert all of the assets held by it to cash, to notify the holders of the outstanding trust certificates to present their certificates for redemption, and to distribute pro rata the proceeds to the holders who presented their certificates for redemption. In connection with liquidation of Insurance Investors Fund and the distribution of the assets held by the Trustee, notices and other communications were published or forwarded to each certificate holder. As of June 22, 1951, all but twelve of the certificate holders (holding certificates having an aggregate liquidating value of $27,936.23) had presented their certificates to the Trustee and received their liquidating value.

All interested persons are referred to said application which is on file at the Washington, D. C. offices of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after January 14, 1952, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than January 11, 1952, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 52-78; Filed, Jan. 4, 1952; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18677]

ERNEST CHRISTIANSEN

In re: Estate of Ernest Christiansen, also known as Jens Ernest Christiansen, Deceased. File No. D-19-529.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Karen Hansine Sax (Karen Hansine Petersen), whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the property described as follows: The sum of $1,201.41, presently in the custody of the Consulate General of Denmark, San Francisco, California, being the sum awarded Karen Hansine Sax (Karen Hansine Petersen) by the Superior Court of the State of Washington in and for Skagit County, as the distributive share of said Karen Hansine Sax (Karen Hansine Petersen) in the estate of Ernest Christiansen, also known as Jens Ernest Christiansen, deceased,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Karen Hansine Sax (Karen Hansine Petersen), a national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the person named in subparagraph 1 hereof be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-110; Filed, Jan. 4, 1952; 8:56 a. m.]

[Vesting Order 18678]

TEIJE FUJIMA

In re: Rights of Teije Fujima under Insurance Contract. File No. F-39-2147-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Teije Fujima, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,638,721 issued by The Equitable Life Assurance Society of the United States, New York, New York, to Keizo Harasawa, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Teije Fujima, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-111; Filed, Jan. 4, 1952; 8:56 a. m.]

[Vesting Order 18679]

ELSE MENKE

In re: Claim of Else Menke to World War I funds. File No. F-28-31719.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Else Menke, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the sum of $1,814.93 in the possession of the Attorney General of the United States, World War I funds, Trust No. 47685, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Else Menke, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-112; Filed, Jan. 4, 1952; 8:56 a. m.]

[Vesting Order 18680]

CLARA SEEGAR

In re: Estate of Clara Seegar, deceased. File No. D-28-8109; E. T. Sec. 16995.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9783 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Gustav Mentner, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is, and prior to January 1, 1947, was, a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Franciska Obst Mentner, deceased, who there is reasonable cause to believe are and on or since December 11, 1941, and prior to January 1, 1947, were residents of Germany, are and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to the estate of Clara Seegar, deceased, presently being administered by The San Antonio Loan & Trust Company, acting under the judicial supervision of the County Court of Bexar County, San Antonio, Texas, is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons identified in subparagraphs 1 and 2 hereof, nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That the national interest of the United States requires that the persons identified in subparagraphs 1 and 2 hereof be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-113; Filed, Jan. 4, 1952; 8:56 a. m.]

[Vesting Order 18681]

FERDINAND WEINMANN

In re: Estate of Ferdinand Weinmann, also known as (Georg) Ferdinand Weinmann, deceased. File No. F-28-4788; E. T. Sec. 4165.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Katharina Weinmann, also known as Katarina Weinmann, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947, was a resident of Germany and is and prior to January 1, 1947 was a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the Estate of Ferdinand Weinmann, also known as (Georg) Ferdinand Weinmann, deceased, is property which is and prior to January 1, 1947 was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Katharina Weinmann, also known as Katarina Weinmann, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Hyman Wank, Public Administrator of Kings County, as ancillary administrator, c. t. a., acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That the national interest of the United States requires that the person named in subparagraph 1 hereof, be treated as a person who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-114; Filed, Jan. 4, 1952; 8:56 a. m.]

[Vesting Order 18682]

CHARLOTTE BAUER ET AL.

In re: Bonds owned by Charlotte Bauer, also known as Charlotte Biebesheimer Bauer and others. F-28-31728.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR, 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Charlotte Bauer also known as Charlotte Biebesheimer Bauer, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That Johanna Werner also known as Johanna Alsenz Werner, whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

3. That Adam L. J. Schrohe and Mrs. Schrohe each of whose last known address is Germany, on or since December 11, 1941, and prior to January 1, 1947 were residents of Germany and are, and prior to January 1, 1947 were, nationals of a designated enemy country (Germany);

4. That the property described as follows: That certain debt or other obligation matured or unmatured, evidenced by one (1) Rock Island, Arkansas and Louisiana Railroad Company First Mortgage 4½% Bond numbered M3852 of $1,000.00 face value, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Charlotte Bauer also known as Charlotte Biebesheimer Bauer, the aforesaid national of a designated enemy country (Germany);

5. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by three (3) Rock Island, Arkansas and Louisiana Railroad Company First Mortgage 4½% Bonds numbered M3855, M3895 each of $1,000.00 face value and D3494 of $500.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Adam L. J. Schrohe and Mrs. Schrohe, the aforesaid nationals of a designated enemy country (Germany);

6. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by two (2) Rock Island, Arkansas and Louisiana Railroad Company First Mortgage 4½% Bonds, numbered M3844 and M3845, each of $1,000.00 face value, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Johanna Werner, also known as Johanna Alsenz Werner, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

7. That the national interest of the United States requires that such persons be treated as persons who are and prior to January 1, 1947, were nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-115; Filed, Jan. 4, 1952; 8:57 a. m.]

[Vesting Order 18633]

MARGARET GOETZ

In re: Debts owing to Margaret Goetz, also known as Margaret Gotz. F-28-31730.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); Public Law 181, 82d Congress, 65 Stat. 451; Executive Order 9193, as amended by Executive Order 9567 (3 CFR, 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.) and Executive Order 9989 (3 CFR, 1948 Supp.), and pursuant to law, after investigation, it is hereby found:

1. That Margaret Goetz, also known as Margaret Gotz, whose last known address is 19 Bismarckstrasse, Oldenburg,

Germany, on or since December 11, 1941, and prior to January 1, 1947 was a resident of Germany and is, and prior to January 1, 1947 was, a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by twelve (12) Rock Island, Arkansas, and Louisiana Railroad Company First Mortgage 4½% Gold Bonds, due March 1, 1934, of the face values and numbers set forth below:

Numbers:	Face value
M3798	$1,000.00
M3800	1,000.00
M4467	1,000.00
M4760	1,000.00
M4780	1,000.00
D4553	500.00
D5598/99 (each)	500.00
D5755/58 (each)	500.00

together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

is property which is and prior to January 1, 1947, was within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Margaret Goetz, also known as Margaret Gotz, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that such person be treated as a national who is and prior to January 1, 1947, was a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-116; Filed, Jan. 4, 1952; 8:57 a. m.]

[Vesting Order 6278, as Amended, Amdt.]

BERTHA MAY

In re: Estate of Bertha May, deceased. File No. D-28-8217; E. T. Sec. 9268.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation Vesting Order 6278 dated May 10, 1946, as amended, is hereby further amended to read as follows:

It is hereby found:

1. That Otto Paul Pester, Kurt Arno Felber, Arthur Roessler and Edmund Max Herbert Roessler, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof and each of them, in and to the Estate of Bertha May, deceased, is property payable or deliverable to or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Public Administrator of New York County, New York, as administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof, are not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-118; Filed, Jan. 4, 1952; 8:57 a. m.]

[Vesting Order 17538, Amdt.]

HELEN SCHULTE

In re: Interests in real property, property insurance policies and a claim owned by Helen Schulte.

Vesting Order 17538, dated March 19, 1951, is hereby amended as follows and not otherwise:

a. By adding to Exhibit A, attached to and by reference made a part of Vesting Order 17538, the following:

That certain tract of land situated in the City of Louisville, County of Jefferson, State of Kentucky, particularly described as follows:

Beginning on the North side of Broadway, Fifty (50) feet East of Thirteenth Street; thence Eastwardly along the North side of Broadway, Thirty (30) feet, and extending back Northwardly, of the same width throughout and in lines parallel with Thirteenth Street Two Hundred and Eight (208) feet, more or less, to the North line of the One (1) acre conveyed by deed recorded in Deed Book 59, Page 286 in the Jefferson County Court Clerk's Office; and being the same property conveyed to the said Earl E. Hardaway, one of said first parties, by deed dated October 4th, 1923, and recorded in Deed Book 1069, Page 11, in the Clerk's Office aforesaid, and

b. By deleting from subparagraph 2 (b) of said Vesting Order 17538 the word "Missouri" and substituting therefor the word "Kentucky".

All other provisions of said Vesting Order 17538 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-120; Filed, Jan. 4, 1952; 8:57 a. m.]

[Vesting Order 18201, as amended, Amdt.]

BERTHA MAY

In re: Estate of Bertha May, deceased. File No. D-28-8217; E. T. Sec. 9268.

Vesting Order 18201 dated July 20, 1951, as amended, is hereby further amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hermann Edmund Roessler, Hermann Kurt Roessler, Gertrud Johanna Selig, Klara Gertrud Roessler also known as Trude Riedel, Helene Liddy Pester, Johannes Heinz Pester, Emil Theodor Pester, Elisabetha Ella Felber and Paul Robert Pester, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Bertha May, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the Public Administrator of New York County, New York, as administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

Executed at Washington, D. C., on December 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-121; Filed, Jan. 4, 1952; 8:57 a. m.]